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OF THE

HOUSE OF REPRESENTATIVES

OF THE

COMMONWEALTH OF KENTUCKY

Regular Session 1936

VOL. III

Held in the State Capitol, in the Capital City of Kentucky,
at Frankfort, in the year of Our Lord 1936 and in
the One Hundred and Forty-Fourth year
of the Commonwealth

Begun on the seventh day of January and adjourned
sine die on the fifteenth day of February

BROOKS L. HARGROVE, *Chief Clerk*
MARSHALL BARNES, *Assistant Clerk*
JANE ADDAMS WADDLE, *Stenographer*

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COMMONWEALTH OF KENTUCKY

Regular Session 1936

THURSDAY, FEBRUARY 6, 1936.

The House was opened with prayer by the Reverend Alexander M. Warren of the Presbyterian Church, North, of Frankfort, Kentucky.

The roll was called and the following members answered to their names, viz.:

F. T. Allen	J. A. Coleman	Ben Grogan
Henry H. Allen	Roy Conway	Jas. T. Hamilton
C. W. Anderson, Jr.	Herbert Cook	C. L. Hammons
H. T. Baker	Harry Davis	W. L. Hampton, Jr.
W. T. Baker	Sam Dever	Thomas W. Hines
G. M. Ballard	Stanley S. Dickson	Price Holbrook
B. F. Bedford	George W. Dunlap	Clyde S. Howard
Reuben J. Boling	Howard G. Early	Ira W. Hulette
Douglas Bolling	Garland Embry	John M. Hunnicut
Ollie J. Bowen	Walter R. Fannin	Ben W. Johnson
Wallace Brown	Chas. P. Farnsley	J. H. Jones
Dr. R. A. Byers	T. P. Fitzpatrick	O. C. Jones
Jas. C. Carter	H. Myer Garner	R. T. Kirkman
V. O. Chandler	James Garnett, Jr.	J. F. Ladd
Floyd Clark	G. W. Garrett	Leslie Larrimore
Roscoe Claxon	Ferd A. Gnau	Robert E. Lee
George S. Clay	Eugene Gough	M. T. McCarthy

T. B. McConnell	Russell O'Neill	P. L. Sidebottom
J. L. McDermott	Mel Petry	Chester D. Silvers
Lloyd MacDonald	A. W. Pfeiffer	Bruce Sloan
W. F. McGary	J. C. Ramey	H. C. Steely
Elmer McGlothen	Hobart Rayburn	Henry Stewart
John Marshall	L. K. Rice	Dr. H. S. Swope
C. S. Matherly	Wade H. Riley	W. R. Tapp
Duke Mayfield	Joe E. Robinson	J. J. Thomas
G. S. Milam	John C. Robinson	R. Van Bever, Jr.
W. H. Miller	W. T. Rollo	S. J. Wagner
John B. Mollett	A. W. Ross	Joseph L. Wall
W. E. Mull	Carl Scheben	Henry Ward
Tyler Munford	Carl Schneider	L. R. Wells
Rodes K. Myers	Ray O. Shehan	W. G. Williams
J. C. Nickell	Dr. B. F. Shields	Charles Wylie

Mr. Davis moved that the reading of the Journal of yesterday's proceedings be dispensed with.

Said motion was agreed to.

Mr. Davis moved that the session of today be extended indefinitely.

Said motion was agreed to.

Mr. Munford moved that the privilege of the floor be extended to Mr. and Mrs. Sterling Towles.

Said motion was agreed to.

Mr. H. H. Allen moved that the privilege of the floor be extended to Messrs. S. S. Richardson and L. E. Richardson of Meade County, Misses Agnes and Louisa Richardson of Brandenburg, Kentucky.

Said motion was agreed to.

Mr. Cook moved that the privilege of the floor be extended to Mr. Yeager Sudduth.

Said motion was agreed to.

Mr. Johnson moved that the privilege of the floor be extended to Mr. Walter Sebastian, J. A. Webb and Carl King.

Said motion was agreed to.

Mr. Coleman moved that the privilege of the floor be extended to Mr. E. W. Cook.

Said motion was agreed to.

Mr. Hunnicut offered the following resolution, viz.:

Whereas, A resolution has been adopted by the Senate to cause an investigation to be made into the operation of the restaurant in the State Capital Building; and

Whereas, The Speaker of the House, for the purpose of collaborating with the Senate, has designated three members of the House to advise with the Senate Committee and with this House so that the members of this House may receive the benefits of any possible improvement in the service of said restaurant, the said members designated by the Speaker being the Representative from the city of Bowling Green, the Representative from Spencer County and the Representative from the 66th district; and

Whereas, The members of this House are sometimes inconvenienced by not being able to obtain hot groceries because of alleged inadequacy of the equipment of the said restaurant, particularly on one recent occasion when the steam supply to the steam table was not operating: Now, Therefore,

Be it Resolved by the House of Representatives of the General Assembly of the Commonwealth of Kentucky:

That the appointment of this committee by the Speaker is hereby confirmed, and said committee shall make further investigations and make recommendations to this House concerning any means by which the members of this General Assembly may be assured of suitable dining facilities; and the

Speaker may appoint such further members of said committee as he may deem advisable.

Said resolution was adopted.

Mr. Rice moved that a bill entitled:

H. B. 70. An Act concerning Public Schools, Etc.

(With a Committee Substitute thereto.)

Be taken from the hands of the Committee on Rules for the purpose of immediate consideration.

Mr. Gnau moved that the motion as made by Mr. Rice be laid on the table.

Said motion was disagreed to.

The yeas and nays being required thereon by Messrs. Gnau and Ross were as follows, viz.:

Those who voted in the affirmative were—

C. W. Anderson, Jr.	Ferd A. Gnau	Hobart Rayburn
W. T. Baker	Eugene Gough	W. T. Rollo
B. F. Bedford	Price Holbrook	A. W. Ross
Roscoe Claxon	J. F. Ladd	Carl Scheben
Harry Davis	Leslie Larrimore	P. L. Sidebottom
George W. Dunlap	W. F. McGary	Chester D. Silvers
Howard G. Early	W. E. Mull	Henry Ward
Chas. P. Farnsley	Russell O'Neill	W. G. Williams
James Garnett, Jr.	A. W. Pfeiffer	—26

Those who voted in the negative were—

F. T. Allen	Jas. C. Carter	Garland Embry
Henry H. Allen	V. O. Chandler	Walter R. Fannin
H. T. Baker	Floyd Clark	T. P. Fitzpatrick
G. M. Ballard	J. A. Coleman	H. Myer Garner
Reuben J. Boling	Roy Conway	G. W. Garrett
Douglas Bolling	Herbert Cook	Ben Grogan
Ollie J. Bowen	Sam Dever	Jas. T. Hamilton
Wallace Brown	Stanley S. Dickson	C. L. Hammons

W. L. Hampton, Jr.	C. S. Matherly	Ray O. Shehan
Thomas W. Hines	Duke Mayfield	Dr. B. F. Shields
Clyde S. Howard	G. S. Milam	H. C. Steely
Ira W. Hulette	W. H. Miller	Henry Stewart
John M. Hunnicut	John B. Mollett	Dr. H. S. Swope
Ben W. Johnson	Tyler Munford	W. R. Tapp
J. H. Jones	Rodes K. Myers	J. J. Thomas
O. C. Jones	J. C. Nickell	R. Van Bever, Jr.
R. T. Kirkman	Mel Petry	S. J. Wagner
Robert E. Lee	J. C. Ramey	Joseph L. Wall
T. B. McConnell	L. K. Rice	L. R. Wells
J. L. McDermott	Wade H. Riley	Charles Wylie
Elmer McGlothen	Joe E. Robinson	—62

The motion as made by Mr. Rice was then disagreed to.

The yeas and nays being required thereon by Messrs. Gnau and Rice, were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen	H. Myer Garner	John B. Mollett
Henry H. Allen	G. W. Garrett	Tyler Munford
H. T. Baker	Jas. T. Hamilton	Mel Petry
G. M. Ballard	C. L. Hammons	J. C. Ramey
Reuben J. Boling	Thomas W. Hines	L. K. Rice
Dr. R. A. Byers	Clyde S. Howard	Wade H. Riley
Jas. C. Carter	Ben W. Johnson	Joe E. Robinson
V. O. Chandler	J. H. Jones	Ray O. Shehan
Floyd Clark	O. C. Jones	H. C. Steely
J. A. Coleman	R. T. Kirkman	Dr. H. S. Swope
Roy Conway	T. B. McConnell	J. J. Thomas
Herbert Cook	Elmer McGlothen	R. Van Bever, Jr.
Sam Dever	C. S. Matherly	L. R. Wells
Garland Embry	Duke Mayfield	
Walter R. Fannin	G. S. Milam	—43

Those who voted in the negative were—

C. W. Anderson, Jr.	Douglas Bolling	Roscoe Claxon
W. T. Baker	Ollie J. Bowen	George S. Clay
B. F. Bedford	Wallace Brown	Harry Davis

Stanley S. Dickson	Leslie Larrimore	Carl Scheben
George W. Dunlap	Robert E. Lee	Carl Schneider
Howard G. Early	J. L. McDermott	Dr. B. F. Shields
Chas. P. Farnsley	W. F. McGary	P. L. Sidebottom
T. P. Fitzpatrick	W. E. Mull	Chester D. Silvers
James Garnett, Jr.	Rodes K. Myers	Bruce Sloan
Ferd A. Gnau	J. C. Nickell	W. R. Tapp
Eugene Gough	Russell O'Neill	S. J. Wagner
Ben Grogan	A. W. Pfeiffer	Joseph L. Wall
W. L. Hampton, Jr.	Hobart Rayburn	Henry Ward
Ira W. Hulette	John C. Robinson	W. G. Williams
John M. Hunnicut	W. T. Rollo	Charles Wylie
J. F. Ladd	A. W. Ross	—47

Mr. Gnau moved that the vote by which the House refused to take from the Committee on Rules, for immediate consideration, said bill, be reconsidered and that said motion lie on the table

Said last named motion was agreed to.

At the hour of eleven o'clock A. M. the House took up for consideration the Special Order of the Day, to wit: a bill entitled:

H. B. 38. An Act to invest in the county judge the right to suspend a sentence against one convicted for misdemeanor for not exceeding six months.

With amendments thereto which were offered on yesterday, and agreed to.

(For bill and amendments thereto see House Journal of yesterday.)

Mr. Hines offered the following amendments to said bill, viz.:

Amend H. B. 38. After the word "county" strike out the word "jail" and insert the following words: "or city jail or workhouse".

In line 1 after the word "quarterly" insert the word "police".

In line 3, add to the word "work", "ing". After the word "sentence" insert the following words "of fine or imprisonment or both"; after said work strike out the following words "and he fails to pay or replevy".

In line 5 after the word "sentence" insert the following words: "if the penalty does". Change the word "exceeding" to the word "exceed".

Said amendments were each and severally agreed to.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen	Roscoe Claxon	Eugene Gough
Henry H. Allen	George S. Clay	Ben Grogan
C. W. Anderson, Jr.	J. A. Coleman	Jas. T. Hamilton
H. T. Baker	Harry Davis	C. L. Hammons
W. T. Baker	Sam Dever	W. L. Hampton, Jr.
G. M. Ballard	Stanley S. Dickson	Thomas W. Hines
B. F. Bedford	George W. Dunlap	Price Holbrook
Reuben J. Boling	Howard G. Early	Clyde S. Howard
Douglas Bolling	Garland Embry	John M. Hunnicut
Ollie J. Bowen	Walter R. Fannin	Ben W. Johnson
Wallace Brown	Chas. P. Farnsley	J. H. Jones
Dr. R. A. Byers	T. P. Fitzpatrick	O. C. Jones
Jas. C. Carter	H. Myer Garner	R. T. Kirkman
V. O. Chandler	G. W. Garrett	J. F. Ladd

Leslie Larrimore	Mel Petry	P. L. Sidebottom
Robert E. Lee	A. W. Pfeiffer	Bruce Sloan
T. B. McConnell	J. C. Ramey	H. C. Steely
Lloyd MacDonald	Hobart Rayburn	Dr. H. S. Swope
W. F. McGary	L. K. Rice	W. R. Tapp
Elmer McGlothen	Wade H. Riley	J. J. Thomas
C. S. Matherly	Joe E. Robinson	R. Van Bever, Jr.
Duke Mayfield	John C. Robinson	S. J. Wagner
G. S. Milam	W. T. Rollo	Henry Ward
John B. Mollett	A. W. Ross	L. R. Wells
W. E. Mull	Carl Scheben	W. G. Williams
Tyler Munford	Carl Schneider	Charles Wylie
Rodes K. Myers	Ray O. Shehan	
Russell O'Neill	Dr. B. F. Shields	—82

Those who voted in the negative were—

Roy Conway	James Garnett, Jr.	Joseph L. Wall
Herbert Cook	J. C. Nickell	—5

Mr. Hines offered the following amendment to the title of said bill, viz.:

Amend the title by striking out the words "county judge" and insert the following: "circuit, quarterly and police judges and justice of the peace".

Said amendment was agreed to.

Resolved that the title thereof be as aforesaid.

Mr. Hines moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Mr. Van Bever moved that the Rules of this House be suspended and that a bill entitled:

H. B. 64. An Act consolidating the office of Jailer with that of Sheriff in each county of the State.

Be taken from the Committee on Rules for the purpose of immediate consideration.

Said motion was disagreed to.

The yeas and nays being required thereon by Messrs. Van Bever and Hammons, were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen	Chas. P. Farnsley	Elmer McGlothen
Henry H. Allen	H. Myer Garner	John B. Mollett
C. W. Anderson, Jr.	James Garnett, Jr.	Tyler Munford
H. T. Baker	G. W. Garrett	Russell O'Neill
G. M. Ballard	Jas. T. Hamilton	Hobart Rayburn
Reuben J. Boling	C. L. Hammons	L. K. Rice
Ollie J. Bowen	Thomas W. Hines	Wade H. Riley
Dr. R. A. Byers	Ira W. Hulette	W. T. Rollo
Jas. C. Carter	J. H. Jones	Carl Schneider
V. O. Chandler	O. C. Jones	Ray O. Shehan
J. A. Coleman	R. T. Kirkman	H. C. Steely
Sam Dever	J. F. Ladd	Henry Stewart
George W. Dunlap	Leslie Larrimore	Dr. H. S. Swope
Howard G. Early	Robert E. Lee	J. J. Thomas
Garland Embry	Lloyd MacDonald	R. Van Bever, Jr.
Walter R. Fannin	W. F. McGary	L. R. Wells

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Those who voted in the negative were—

W. T. Baker	T. P. Fitzpatrick	Duke Mayfield
Douglas Bolling	Eugene Gough	Mel Petry
Wallace Brown	W. L. Hampton, Jr.	A. W. Pfeiffer
Roscoe Claxon	Clyde S. Howard	J. C. Ramey
George S. Clay	Ben W. Johnson	Joe E. Robinson
Herbert Cook	M. T. McCarthy	John C. Robinson
Stanley S. Dickson	C. S. Matherly	Dr. B. F. Shields

P. L. Sidebottom	S. J. Wagner	W. G. Williams
Chester D. Silvers	Joseph L. Wall	Charles Wylie
W. R. Tapp	Henry Ward	—29

Mr. Myers moved that the vote by which the House refused to take said bill from the Committee on Rules, for immediate consideration, be reconsidered and that said motion lie on the table.

Said last named motion was disagreed to.

The yeas and nays being required thereon by Messrs Van Bever and Hammons, were as follows, viz.:

Those who voted in the affirmative were—

W. T. Baker	W. L. Hampton, Jr.	Joe E. Robinson
B. F. Bedford	Price Holbrook	John C. Robinson
Douglas Bolling	Clyde S. Howard	Dr. B. F. Shields
Ollie J. Bowen	Ben W. Johnson	P. L. Sidebottom
Wallace Brown	M. T. McCarthy	Chester D. Silvers
Roscoe Claxon	T. B. McConnell	W. R. Tapp
George S. Clay	J. L. McDermott	S. J. Wagner
Herbert Cook	Duke Mayfield	Joseph L. Wall
Harry Davis	W. E. Mull	Henry Ward
Stanley S. Dickson	Rodes K. Myers	W. G. Williams
George W. Dunlap	Mel Petry	Charles Wylie
T. P. Fitzpatrick	A. W. Pfeiffer	
Eugene Gough	J. C. Ramey	—37

Those who voted in the negative were—

F. T. Allen	Jas. C. Carter	Garland Embry
Henry H. Allen	V. O. Chandler	Walter R. Fannin
C. W. Anderson, Jr.	Floyd Clark	Chas. P. Farnsley
H. T. Baker	J. A. Coleman	H. Myer Garner
G. M. Ballard	Roy Conway	James Garnett, Jr.
Reuben J. Boling	Sam Dever	G. W. Garrett
Dr. R. A. Byers	Howard G. Early	Ferd A. Gnau

Jas. T. Hamilton	Lloyd MacDonald	Wade H. Riley
C. L. Hammons	W. F. McGary	W. T. Rollo
Thomas W. Hines	Elmer McGlothen	Carl Schneider
Ira W. Hulette	G. S. Milam	Ray O. Shehan
J. H. Jones	W. H. Miller	H. C. Steely
O. C. Jones	John B. Mollett	Henry Stewart
R. T. Kirkman	Tyler Munford	Dr. H. S. Swope
J. F. Ladd	Russell O'Neill	J. J. Thomas
Leslie Larrimore	Hobart Rayburn	R. Van Bever, Jr.
Robert E. Lee	L. K. Rice	L. R. Wells

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At the instance of the Committee on Rules the following bills were introduced, ordered printed and referred as follows, viz.:

By Mr. Kirkman:

H. B. 580. An Act establishing as a part of the primary road system of the Commonwealth a road in Todd and Christion counties.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is hereby established as a part of the primary system of public roads of this Commonwealth, a road leaving Highway No. 181 about one-half mile north of Kirkmansville; thence following the old county road as near as practical known as the Out Let road crossing the river near the Utley farm and recrossing at Johnson's Mill; thence via Gum Grove church in Christian County to a point in the Hopkinsville and Kirkmansville road.

By Mr. Sloan:

H. B. 581. An Act creating and establishing as a part of

the primary system of highways of the Commonwealth of Kentucky, a road from Highway No. 90 at Cook's farm to Wayne County line via Central Union Church, Byer's Store and Duvall Valley, in Clinton County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State Highways of the Commonwealth of Kentucky a road from Highway No. 90 at Cook's farm to Wayne County line via Central Union Church, Byer's Store and Duvall Valley in Clinton County, Kentucky.

§ 2. This road thus established to be entitled to receive all benefits of such laws as are now or may hereafter be in effect relating to the primary system of roads and highways in the Commonwealth of Kentucky.

By Mr. Wells:

H. B. 582. An Act establishing as part of the system of State Highways a road known as the New Salem Road in Barren County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State Highways of the Commonwealth of Kentucky a road in Barren County known as the New Salem road, said road starting at its intersection with the Glasgow-Edmonton road, State Highway No. 80, about three-quarters of a mile east of Glasgow, and continuing as with its present route to Kino.

§ 2. That the construction, maintenance, supervision and control of said road shall be subject to and controlled by

the provisions of Chapter 17 of the Acts of the General Assembly of 1920, and all other laws pertaining thereto establishing and creating the primary system of State Highways, to the same effect as if said road had been named in the original Act as one of the projects of the primary system of State Highways as provided therein.

By Mr. Wells:

H. B. 583. An Act establishing as part of the system of State Highways a road known as the Savoyard road in Barren and Metcalfe counties.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State Highways of the Commonwealth of Kentucky a road in Barren and Metcalfe counties known as the Savoyard road, said road starting at its junction with the Hiseville-Sulphur Well road and continuing to Savoyard and thence to Center via the most convenient and practical manner with respect to its present route.

§ 2. That the construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920, and all other laws pertaining thereto establishing and creating the primary system of State Highways, to the same effect as if said road had been named in the original Act as one of the projects of the primary system of State Highways as provided therein.

By Mr. Wells:

H. B. 584. An Act establishing as part of the system of

State Highways a road known as the Cavalry Road in Barren County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State Highways of the Commonwealth of Kentucky a road in Barren County known as the Cavalry Road, said road starting at junction of present roadway on U. S. 31-E leading to, and through, the State Military Property known as "Cavalry Field" and proceeding alongside the Municipal Airport thence to a junction with the old Bowling Green road by the most convenient and practical route.

§ 2. That the construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920 and all other laws pertaining thereto establishing and creating the primary system of State Highways, to the same effect as if said road had been named in the original Act as one of the projects of the primary system of State Highways as provided therein.

By Mr. Wells:

H. B. 585. An Act establishing as part of the system of State Highways a road known as the Burnside-Antioch-Tateville road in Pulaski County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State Highways of the Commonwealth of Kentucky a road in Pulaski County known as the Burnside-Antioch-Tateville road, said road starting at intersection im-

mediately south of the Burnside City Hall and continuing via present established route past Southern Railway Station, Christian Church, thence east at Baptist Church corner two blocks to street alonside Burnside Cemetery, and continuing via present route to, and past, Antioch school and church, thence by most practical route to point adjacent farm of W. F. Beaty, thence by most convenient and practical route to junction with U. S. 27 at Tateville.

§ 2. That the construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920 and all other laws pertaining thereto establishing and creating the primary system of State Highways, to the same effect as if said road had been named in the original Act as one of the projects of the primary system of State Highways as provided therein.

By Mr. Wells:

H. B. 586. An Act establishing as a part of the system of State Highways a road known as the Three Springs-Hiseville road in Barren County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State Highways of the Commonwealth of Kentucky a road in Barren County known as the Three Springs-Hiseville Road, said road starting at the Barren-Hart County line, near Three Springs, and continuing along its present route, via Park, to Hiseville.

§ 2. That the construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920 and all other laws pertaining thereto estab-

lishing and creating the primary system of State Highways, to the same effect as if said road had been named in the original Act as one of the projects of the primary system of State Highways as provided therein.

By Mr. Wells:

H. B. 587. An Act establishing as part of the system of State Highways a road known as the Dugantown Road in Barren County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the Primary System of State Highways of the Commonwealth of Kentucky a road in Barren County known as the Dugantown Road, said road starting at its intersection with the Glasgow-Edmonton Road, on State Highway No. 80, about two miles east of Glasgow, and continuing along its present route to its junction with the Coral Hill Road, near the Coral Hill school.

§ 2. That the construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920, and all other laws pertaining thereto establishing and creating the primary system of State Highways, to the same effect as if said road had been named in the original Act as one of the projects of the primary system of State Highways as provided therein.

By Mr. Wells:

H. B. 588. An Act establishing as part of the system of State Highways a road known as the Coral Hill road in Barren County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State Highways of the Commonwealth of Kentucky a road in Barren County known as the Coral Hill road, said road starting at its intersection with U. S. Highway 31-E at Foster's Store, about four miles north of Glasgow, and continuing along its present route via Coral Hill school, via Pleasant Union school, via Bradleys Store, etc., to its intersection with the Hiseville-Sulphur Well road at its present point near Halfway.

§ 2. That the construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920, and all other laws pertaining thereto establishing and creating the primary system of State Highways, to the same effect as if said road had been named in the original Act as one of the projects of the primary system of State Highways as provided therein.

By Mr. Wells:

H. B. 589. An Act establishing as part of the system of State Highways a road known as the Kino Road in Barren County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State Highways of the Commonwealth of Kentucky a road in Barren County known as the Kino Road, said road starting at its intersection with the Glasgow-Burkesville road, on State Highway No. 90, at Wilkerson's

Store about 3½ miles from Glasgow, and continuing along its present route to Kino, and thence to Randolph.

§ 2. That the construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920, and all other laws pertaining thereto establishing and creating the primary system of State Highways, to the same effect as if said road had been named in original Act as one of the projects of the primary system of State Highways as provided therein.

By Mr. Garner:

H. B. 590. An Act to add to the primary road system, the road leading from Russell Springs to Creelsboro in Russell County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there be added to the primary road system the road leading from Russell Springs to Creelsboro in Russell County.

By Mr. Chandler:

H. B. 591. An Act creating and establishing as a part of the primary system of highways of the Commonwealth of Kentucky, a road from the Marion and Shady Grove Road at or near Tribune, Kentucky, running Southeast to the Sam Leneave's Iron Bridge via Blackburn Church and Odessa School House; thence in a Southeasterly direction intersecting the Princeton and Shady Grove Road at or near Creswell, Kentucky, in Caldwell County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the

primary system of State Highways of the Commonwealth of Kentucky, a road from the Marion and Shady Grove Road at or near Tribune, Kentucky, running Southeast to the Sam Leneave's Iron Bridge via Blackburn Church and Odessa School House; thence in a Southeasterly direction intersecting the Princeton and Shady Grove Road at or near Creswell, Kentucky, in Caldwell County.

§ 2. This road thus established to be entitled to receive all benefits of such laws as are now or may hereafter be in effect relating to the primary system of roads and highways in the Commonwealth of Kentucky.

By Mr. Shehan:

H. B. 592. An Act to repeal, amend and re-enact Section 8, Article I, Chapter 22 of the Acts of the General Assembly of 1906, now Section 4026 of Carroll's Kentucky Statutes, Baldwin's Revision of 1930, relating to exemption of property for revenue and taxation.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 8, Article I, of Chapter 22, of the Acts of the General Assembly of 1906, which is now Section 4026, Carroll's Kentucky Statutes, Baldwin's Revision of 1930, be, and the same is, hereby repealed, amended and re-enacted, so that the same when so amended and re-enacted shall read as follows:

The following property is exempt from taxation: Public property used for public purposes; places actually used for religious worship, with the grounds attached thereto, and used and appurtenant to the house of worship, not exceeding one-half acre in the cities or towns, and not exceeding two acres in the country; places of burial not held for private or corporate profit; institution of purely public charity and in-

stitutions of education not used or employed for gain by any person or corporation, and the income of which is devoted solely to the cause of education; public libraries, their endowments, and the income of such property as is used exclusively for their maintenance; all parsonages or residences owned by any religious society, and occupied as a home, and for no other purpose, by the minister of any religion with not exceeding one-half acre of ground in towns and cities, and two acres of ground in the country, appurtenant thereto; places or property owned and actually used as and for a meeting place, club house or home and all grounds attached and appurtenant to the said place, house or home, not exceeding one-half acre in cities and incorporated towns and two acres in the country, of all ex-soldier or veteran organizations of the Spanish-American War and of the Great World War; household goods or other personal property of a person with a family not exceeding two hundred and fifty dollars ($250.00) in value; crops grown in the year in which the assessment is made and in the hands of the producer.

By Mr. Conway:

H. B. 593. An Act creating the office of stenographer to the county attorney in counties containing cities of the third class, or having a population of 50,000 people or over, prescribing the method of appointment and removal, salary and the method of payment of salary.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That in all counties in this Commonwealth containing cities of the third class, or having a population of 50,000 people or over, there is hereby created the office of stenographer or clerk to the county attorney. Said stenographer or clerk shall be appointed by the county attorney for a term

of four years, but may be removed at any time by the said County Attorney.

§ 2. Said stenographer shall receive a salary of not less than Six Hundred Dollars ($600.00) nor more than Twelve Hundred Dollars ($1,200.00) per annum, to be paid by the Fiscal Court of such county, and shall be payable out of the county levy in said county in equal monthly installments.

§ 3. This Act shall be in force and effect immediately upon its passage and approval.

By Mr. Wylie:

H. B. 594. An Act to repeal Chapter 33 of the Acts of 1932 relative to Burial Associations.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Chapter 33 of the Acts of 1932 relative to Burial Associations be hereby repealed.

By Mr. Gough:

H. B. 595. An Act to amend and re-enact Section 4366t-7, providing for acquisition and condemnation of roads and passageways for public purposes.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 4356t-7 of Carroll's Kentucky Statutes, Baldwin's Revision 1930, be and the same is hereby amended and re-enacted so that when so amended and re-enacted the said section shall read in part as follows:

4356t-7. Rights of way, condemnation; acquirement of private roads.

No portion of the cost of acquiring any necessary land or right of way, except a temporary right of way, nor any part of any damages incurred, awarded or paid, shall be paid out of the state road fund or road and bridge fund, but all cost of acquiring any necessary land or right of way and any damages incurred, awarded or paid shall be paid by the county out of its general fund or out of funds voted and held by the county or its duly appointed and qualified road commissioners for the purpose of improving or constructing, either or both, the roads and bridges of the county. The state highway commission is hereby authorized to institute any proceeding in the county court of the county where land lies to have any right of way, temporary or permanent, condemned and the damages assessed. They may institute such suit or proceeding in the name of the Commonwealth, and the county attorney shall represent it. They shall have the power to agree with any landowner as to the value of the right of way and if the agreement reached is approved by the county attorney the fiscal court shall enter an order directing the payment of the amount agreed upon to the landowner, and a record of said agreement shall be spread upon the records of the county court. Any landowner may donate a right of way across his land for any road herein designated and shall execute a deed to the state highway commission for the use and benefit of the State of Kentucky for such right of way. Condemnation proceedings may be tried at a special term of the county court called for the purpose after due notice has been given the owner and claimant of the land sought to be condemned.

The state highway commission shall have the right and it is hereby authorized and empowered to make agreements and contracts with the owners of private surfaced roads necessary to be incorporated in this system of state highways, where the owners are individuals or corporations, for the transfer and taking over of all the rights and interests of such private owners, for use and a part of this system of state

highways; and they may agree upon the price and cost to be paid for such interest in such roads by the approval of the county judge and county attorney in each county in which such roads are located; and upon receipt of their certificate of such transfers and the total cost for same the state auditor shall draw his warrant upon the treasurer for payment of the amount so certified. And said state highway commission may institute such condemnation or legal proceedings in the proper courts as they may deem necessary for the taking over of such roads and interests of private owners therein. Or, if, in their judgment, they shall deem it best, they may procure the right of way, as hereinbefore provided for, adjacent to, and alongside of such surfaced roads, crossing the same from one side to the other when he deems proper.

And providing that all fencing rendered necessary to be erected by the state highway commission or any county by reason of acquisition or condemnation of land under this section for purposes of building roads, bridges, or approaches thereto shall be of the same material and of the same value per rod and shall not exceed in value any fences surrounding said lands at the time the survey is made of said roads, bridges or approaches thereto, providing further that if said land so acquired or condemned be not inclosed by any fences then and in that event no damages shall be assessed or allowed for general purposes.

And nothing in this act contained shall be construed to mean that the state or federal government shall pay for any interest that any county may own in such roads, or that any county shall pay for this interest, owned by individuals or corporations in such roads.

By Mr. Davis:

H. B. 596. An Act amending Section 3 of Article 5 of Chapter 65 of the Acts of the General Assembly of 1934, being

Section 4399-3, Kentucky Statutes, Baldwin's Kentucky Statute Service of 1934, relating to independent school districts.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 3 of Article 5 of Chapter 65 of the Acts of the General Assembly of 1934, being Section 4399-3, Kentucky Statutes, Baldwin's Kentucky Statutes Service, 1934 Edition, be and the same hereby is amended by repealing said Section in its entirely and re-enacting same so that as amended and re-enacted said section will read as follows, to wit:

Independent school districts. All school districts embracing cities of the first five classes together with the territory within their limits, including any territory which has heretofore been added for school purposes outside of the limits of such cities or districts, and any territory which may be included by any future change in the limits of such cities, and all independent graded common school districts having a school census enumeration of two hundred fifty (250) or more white children shall hereafter be known and designated as independent school districts, provided that no such district other than cities of the first, second, third, fourth, and fifth classes, operating as independent district at the time this act becomes effective, shall continue to operate when its school census enumeration of white children falls below two hundred fifty (250) pupils unless it appears to the State Board of Education that the district can maintain a more efficient program of school service by operating as an independent district. The State Board of Education may permit an independent graded common school district existing at the time of the passage of this act with a census enumeration of white children below two hundred and fifty (250) to operate as a temporary independent school district for four-year periods beginning with July 1, 1934, if it appears to the State Board of Education

that such district can maintain a more efficient program of school service by operating as a temporary independent district, and the decision of the State Board of Education shall be final; provided, at the end of each four-year period the State Board of Education may permit such independent district to operate for an additional four-year period on the condition that such inspection as the State Board of Education may make shows that it is operating a school in accordance with the school law and the standards, rules, and regulations set up by the State Board of Education. The State Board of Education may by order make any temporary independent school district a part of the county district whenever the same is (it) not complying with the school law and the standards, rules, and regulations of the State Board of Education, and after it has been given a reasonable time, to be fixed by the State Board of Education, within which to so comply. The first application of such district to operate as a temporary independent district shall be filed with the State Board of Education not later than July 1, 1934. Each subsequent application of such independent district to operate as a temporary independent district for an additional four-year period shall be filed with the State Board of Education not later than May 1, of the last year of the four-year period. Each independent school district shall maintain at least an approved twelve-grade school service for the white children residing in its district. Provided, however, any independent school district that maintains within the district at least an approved ten-grade school service for the white children residing in its district, may furnish free transportation for white children residing within the district to attend school in an adjoining district for completing the eleventh and twelfth grade school work and provide by contract with an adjoining district, which maintains at least an approval twelve-grade program of school service, for such children procuring eleventh and twelfth grade service in such adjoining district. Provided

further that each independent school district shall provide by establishment or by contract with another district for at least an approved twelve-grade program of school service for its colored children.

All laws in conflict herewith are hereby repealed.

By Mr. Munford:

H. B. 597. An Act providing for the employment of additional employees by the Kentucky Railroad Commission, and providing for the payment thereof.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. The Kentucky Railroad Commission shall have the power to employ such additional clerks, stenographers, rate experts, statistician, agents, expert agents, engineers, accountants, auditors, inspectors, experts and other employees as it may deem to be necessary to carry out and perform the duties and exercise the powers conferred by law upon the Commission, the compensation for such employees to be fixed by the Kentucky Railroad Commission, and paid out of the appropriation made by the General Assembly for the Kentucky Railroad Commission, and shall also pay necessary traveling expenses while engaged in the performance of their duties.

§ 2. The same to be paid in the same manner as the salary of the Governor, except that before any expenses are paid, the Chairman of the Kentucky Railroad Commission shall file with the Auditor an itemized statement of said expenses, signed by him and approved by the Governor, which statement shall be filed before any expenses are paid and warrant issued therefor.

§ 3. Whereas the services of the employees herein provided for are needed now for the said Kentucky Railroad

Commission to efficiently perform their duties an emergency is declared and this act shall be and become in full force and effect upon its passage.

By Mr. Munford:

H. B. 598. An Act appropriating $10,000.00 to Kentucky Railroad Commission for the purpose of meeting and paying a deficiency that will be incurred in the payment of expenses and salaries to the officers and employees of said Kentucky Railroad Commission.

Said bill is as follows, viz.:

Whereas, The appropriation made by the General Assembly at its Extraordinary Session in 1934, the appropriation made to the Kentucky Railroad Commission is insufficient to pay the expenses and salaries of the officers and employees of said Commission for the balance of the fiscal year ending June 30, 1936, and whereas there will be a deficiency of the sum of $10,000.00 in order to meet and pay such expenses and salaries:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby appropriated to the Kentucky Railroad Commission the sum of $10,000.00, to be paid out of the General Expenditure Fund to meet and take care of a deficiency that will be brought about in the payment of the expenses and salaries of the officers and employees of the said Kentucky Railroad Commission which appropriation is made in addition to the appropriation made by the General Assembly at said session in 1934 for the fiscal year ending on June 30, 1936.

§ 2. Whereas, the deficiency hereinbefore set out will be incurred within the next sixty days and that it is necessary that said funds be made available within said time it is there-

fore now declared that an emergency exists and this act shall be in full force and effect immediately upon its passage.

To Committee on Rules.

A message was received from the Senate announcing that they had passed bills and resolutions of the following titles, viz.:

S. B. 194. An Act to amend Carroll's Kentucky Statutes, relating to the elimination of double liability of stockholders in banks, trust companies, and combined banks and trust companies.

S. B. 140. An Act to amend Carroll's Kentucky Statutes to increase the surplus of banks, etc.

S. B. 234. An Act to repeal, amend, re-enact, Carroll's Kentucky Statutes relating to the organization of loan and investment companies.

S. B. 135. An Act for the protection of Deer and Elk.

S. B. 134. An Act for the protection of Wild Turkey, etc.

S. B. 136. An Act to amend Carroll's Kentucky Statutes relating to divorce by adding thereto certain causes for divorce to the husband.

S. B. 182. An Act providing for local option elections and prohibiting sale, barter and loan of intoxicating liquors in local option territories.

S. Res. 23. Resolution authorizing the personal representative of Sarah Marks, Gladys Madison and Daisy Carter to sue the Commonwealth.

S. Res. 26. Resolution authorizing the personal representative of Clay Lightfoot, deceased, and Rena Lightfoot to sue the Commonwealth.

S. Res. 28. Resolution authorizing Floyd Mays to sue the Commonwealth.

S. Res. 30. Resolution authorizing B. F. Turner to file suit against the Commonwealth.

S. Res. 38. Resolution authorizing James William May to sue the Commonwealth.

S. B. 95. An Act pertaining to banks and trust companies.

S. B. 154. An Act providing for the removal of the Superintendent of schools, etc.

Ordered that said bills be printed and referred to Committee on Rules.

Dr. Shields moved that the House do now recess until one-thirty o'clock P. M.

Said motion was agreed to.

And then the House recessed.

AFTERNOON SESSION

The hour of one-thirty o'clock P. M. having arrived, the Speaker resumed the Chair and called the House to order.

At the hour one-thirty o'clock, the House took up for consideration the Special Order of the Day, to wit: a bill entitled:

H. B. 130. An Act prohibiting the expenditure of public moneys on account of insurance against fire or tornado on state property, providing for the valuation of state property and the setting of premiums thereon, for the establishment of an account known as the State Fire and Tornado Insurance Fund, for the crediting to such fund of premiums debited against the accounts of agencies having control over public property, for the reimbursement from such fund to such agencies of damages due to fire and tornado, for the proper investment of moneys in such fund, for the inspection of public buildings, for reinsurance of excessive risks by such fund, for the administration of such fund, fixing the duties of the Department of Insurance, the State Treasurer, and other state officers, making needed appropriations, and for other purposes incidental and complementary to the above.

With Committee amendments thereto.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. No officer or agent of the state, and no person, persons, department, or other agency of the state having control or custody of any buildings or other property belonging to or under the control and use of the Commonwealth of Kentucky, or of any department, institution, board, or other agency of the Commonwealth of Kentucky, shall pay out any public moneys or funds on account or any insurance against loss by fire or tornado, intended to extend beyond July 1, 1936, or shall in any manner contract for or incur any indebtedness against the state on account of any such insurance upon any such public property. Provided, that contracts of insurance in force at the effective date of this Act which cannot legally be canceled, are exempt from this prohibition during the course of their effectiveness, and provided further that the Department

of Insurance may reinsure such property in the manner hereinafter set forth.

§ 2. Before July first following the effective date of this Act, the Department of Insurance shall make or cause to be made an accurate survey, appraisal, and valuation of each public building and all personal property belonging to or under the control and use of the Commonwealth of Kentucky, or any department or other agency thereof, and in addition thereto shall certify the value of such building and personal property to the department or other agency of the state which has the custody or control of said property belonging to the state of Kentucky or agency thereof. Such appraisal and valuation shall equal the amount which the Department of Insurance deems necessary to replace the said property at the time of the appraisal, less actual depreciation.

§ 3. Before July first of each following year, the Department of Insurance shall reconsider each such appraisal and valuation, and shall certify any changes in value to the department or other agency of the state which shall have control or custody of said property.

§ 4. Before July first of each year the Department of Insurance shall fix the rate of premium upon each public building and upon each class of personal property belonging to or under the control and use of the Commonwealth of Kentucky, or any department or other agency thereof, which the Department of Insurance deems to be the average rate charged by responsible insurance companies doing business in this state, for insurance against damage by fire and tornado, upon property of like kind and degree of exposure to risk.

§ 5. Before July first of each year the Department of Insurance shall certify to the State Treasurer the premium to be charged against each department or other agency of the state having control or custody of property of the state or agency thereof, which premium shall be at the rates determined under the procedure of Section 4 of this Act, calculated upon ninety per cent (90%) of the valuation of all such prop-

erty, as determined under the procedure of Section 2 of this Act.

§ 6. During each fiscal year, the State Treasurer shall deduct from any funds which may be in his hands and payable to the department or other agency for the care and maintenance of such public buildings or other property, an amount equal to the premium certified to him by the Department of Insurance as chargeable against such department or other agency. The amount so debited shall be credited by the State Treasurer to an account which shall be kept by the State Treasurer and known as the State Fire and Tornado Insurance Fund. Provided, that no premium shall be charged on any single building including the contents thereof, upon a valuation in excess of five hundred thousand dollars ($500,000.00) unless the Department of Insurance shall have contracted for reinsurance which limits the liability of the State Fire and Tornado Insurance Fund to five hundred thousand dollars ($500,000.00) upon such building and contents.

§ 7. In case any building or other property belonging to the state or agency thereof shall be damaged by fire or tornado, it shall be the duty of the department or agency having control or custody over such property to certify within thirty days such event to the Department of Insurance. Upon such notification, or upon receipt of knowledge in any manner of such event, the Department of Insurance shall within thirty days ascertain and fix the amount of such damage and shall file with the State Treasurer a statement of the same. In case the department or other agency having control or custody of property so damaged shall disagree with the estimate of damage so fixed, the Department of Insurance and the said department or other agency shall each appoint one member of a board of appraisers, who in turn shall select a third member of such board of appraisers. An award in writing, submitted by such board of appraisers to the State Treasurer, shall determine the amount of damage.

§ 8. When the amount of damage has been determined,

the State Treasurer shall debit the account of the State Fire and Tornado Insurance Fund by such an amount, and shall credit with an equal amount the account of the department or other agency which shall have control or custody of the state property damaged by fire or tornado. Upon warrant from the State Auditor, the State Treasurer shall pay to such department or other agency the amount so credited to it, for the purpose of repairing such damage or reconstructing or replacing such damaged property. Provided, that no such debit, credit, or payment made on account of the damage to any one building and its contents, by any one fire or tornado, or during any fiscal year, shall be in excess of five hundred thousand dollars ($500,000.00), unless the Department of Insurance shall have effected reinsurance upon such building and its contents such as to limit the liability of the State Fire and Tornado Insurance Fund to five hundred thousand dollars ($500,000.00), and unless such excess over this amount shall have actually been paid into the State Fire and Tornado Insurance Fund by the reinsuring company or companies.

§ 9. If there shall not be in the account of the State Fire and Tornado Insurance Fund an amount sufficient to cover the damage to any state building, buildings, or other property, the State Treasurer shall debit the said fund only with the amount actually to its credit at the time, and shall continue, subject to prior claims, to debit said fund by the amount of each ensuing credit to such fund, until the total damage shall have been covered. No payments shall be made on account of such damage to any department or other agency of the state in excess of the amount debited against the said fund at the time of payment.

§ 10. The State Treasurer, with the approval of every investment by the department of Finance and Budgetary Control, shall invest the amounts credited to the State Fire and Tornado Insurance Fund from time to time in such securities as are eligible for investment by fire and tornado insurance companies doing business in this state. Provided, that no

warrants, bonds, or other obligations of the Commonwealth of Kentucky or of any department or agency thereof shall be eligible for the investment of funds belonging to the State Fire and Tornado Insurance Fund. The securities purchased shall be kept by the State Treasurer in the safety deposit vault of an approved depository bank, approved for this purpose by the Department of Finance and Budgetary Control.

§ 11. All interest, earnings, profits, or other income from investments credited to the State Fire and Tornado Insurance Fund shall be credited to such fund, and shall form part of the moneys available to cover damages by fire and tornado to state property.

§ 12. The Department of Insurance and the State Treasurer are hereby authorized to employ such clerical, actuarial, inspectional, appraisal, and other assistance, and to incur such expense for supplies, for membership in the Kentucky Actuarial Bureau, and for other purposes, as may be necessary to carry out the purposes of this act, subject to approval in advance by the Department of Finance and Budgetary Control. All such expenses of the Department of Insurance and the State Treasurer shall be debitable against the State Fire and Tornado Insurance Fund, and shall be payable on warrant by the State Auditor. Provided, that the total of such expenses during any fiscal year shall not exceed twenty per cent (20%) of the total receipts of the said fund during the same fiscal year, and provided further, that if such expenses are incurred at a time when there is not a sufficient amount to the credit of the fund to pay them, they shall constitute a prior claim to be paid out of the first receipts of the fund thereafter before any damages on account of fire or tornado.

§ 13. With the approval of the Department of Finance and Budgetary Control, the Department of Insurance may contract with any responsible fire and tornado insurance or reinsurance company authorized to do business in this state

to reinsure any building and contents thereof which the total valuation has been fixed at over five hundred thousand dollars ($500,000.00) in such a way as to limit the net liability of the State Fire and Tornado Insurance Fund with respect to such building and the contests thereof to five hundred thousand dollars ($500,000.00). The premium payable by reason of such contract of reinsurance shall be debitable against the State Fire and Tornado Insurance Fund, and shall be payable on warrant from the State Auditor.

§ 14. The Department of Insurance shall annually cause an inspection to be made of each building and contents thereof owned by the state or agency thereof, for the purpose of determining the unnecessary causes of fire hazard therein, and shall make such recommendations as it deems necessary to be department or other agency having control or custody of such building relative to the removal of such unnecessary hazard. Reasonable differences in the premium chargeable against such department or other agency on account of such building and the contents thereof may be made contingent upon compliance with such recommendations.

§ 15. If at the end of any fiscal year the moneys and securities to the credit of the State Fire and Tornado Insurance Fund shall equal or exceed one million dollars ($1,000,000.00), the Department of Insurance shall certify to the State Treasurer a credit to each department or other agency of the state having control or custody of state property. Such credit shall operate to offset and reduce premium to be debited against such department or other agency and credited to the State Fire and Tornado Insurance Fund during the next fiscal year. Such credit shall be calculated by taking the total amount of the premiums as determined under the procedure of Section 4 of this act, before and not in consideration of any credit or deduction from the same, by subtracting from such premiums the total amount of the losses and damage debited against the said fund as authorized also the total amount of

expenses debited against the said fund as authorized under Sections 12 and 13 of this act, and by dividing the result by the total amount of premiums as determined under the procedure of Section 4 of this act. Such proportionate credit shall be applied equally against each premium debitable against each department or other agency having control or custody over state property and shall revert to the account of the said department or other agency without prejudice as to its use.

§ 16. All policies which have been contracted by departments or other agencies of the state, insuring state buildings or other state property against fire or tornado, shall be canceled by such department or other agency as of July first following the effective date of this act, or as soon thereafter as such cancellation can lawfully be effected. In case of policies which cannot lawfully be canceled by the said date, the department or agency concerned shall be relieved of obligation to be debited with the corresponding premium for the credit of the State Fire and Tornado Insurance Fund, and said fund shall be relieved of obligation to pay the corresponding damages upon the property concerned, until such time as such policies cease to be of effect.

§ 17. There is hereby appropriated from the General Expenditure Fund to the Department of Insurance the sum of one thousand dollars ($1,000.00) to be used during the present fiscal year in carrying out the duties imposed by this act.

§ 18. There is hereby appropriated to the State Fire and Tornado Insurance Fund from the General Expenditure Fund the sum of one hundred thousand dollars ($100,000.00) to assure safety of operation while the former fund is being built up from premiums and income from investments.

Said Committee amendments are as follows, viz.:

Amend H. B. 130 by striking out all of Section 10 and inserting in lieu thereof the following:

Section 10. The State Treasurer, with the approval of every investment by the Department of Finance and Budgetary Control, shall invest the amounts credited to the State Fire and Tornado Insurance Fund, from time to time in obligations of the United States Government, its agencies and/or Kentucky cities of the 1st, 2nd, 3rd and 4th classes. The securities purchased shall be kept by the State Treasurer in the Safety Deposit vault of an approved depository bank, approved for this purpose by the Department of Finance and Budgetary Control.

Amend H. B. 130 by striking out the words and figures "twenty (20)" in Section 12 and substituting in lieu therefor the words and figures "ten (10)".

Said amendments were each agreed to.

Mr. Myers offered the following amendments to said bill, viz.:

Amend H. B. 130 by adding after the word "canceled" in line 11 of Section 1, the following words: "and any insurance on property financed under a statutory amortization plan".

Amend H. B. 130 by adding to line 2, of Section 7 after the word "tornado" the following words: "except as herein otherwise provided".

Amend H. B. 130 by adding to line 3 of Section 16 after the word "tornado" the following words: "except as herein otherwise provided".

Said amendments were each and severally agreed to.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen	Ben Grogan	Mel Petry
C. W. Anderson, Jr.	Jas. T. Hamilton	A. W. Pfeiffer
W. T. Baker	W. L. Hampton, Jr.	J. C. Ramey
G. M. Ballard	Price Holbrook	Hobart Rayburn
B. F. Bedford	Clyde S. Howard	L. K. Rice
Reuben J. Boling	Ira W. Hulette	Wade H. Riley
Douglas Bolling	John M. Hunnicut	Joe E. Robinson
Ollie J. Bowen	Ben W. Johnson	John C. Robinson
Wallace Brown	J. H. Jones	W. T. Rollo
Dr. R. A. Byers	O. C. Jones	Carl Scheben
Roscoe Claxon	R. T. Kirkman	Carl Schneider
George S. Clay	J. F. Ladd	Ray O. Shehan
J. A. Coleman	Robert E. Lee	Dr. B. F. Shields
Roy Conway	M. T. McCarthy	P. L. Sidebottom
Harry Davis	T. B. McConnell	Chester D. Silvers
Sam Dever	J. L. McDermott	H. C. Steely
Stanley S. Dickson	Lloyd MacDonald	Henry Stewart
George W. Dunlap	W. F. McGary	W. R. Tapp
Howard G. Early	Elmer McGlothen	J. J. Thomas
Garland Embry	C. S. Matherly	S. J. Wagner
Walter R. Fannin	Duke Mayfield	Joseph L. Wall
Chas. P. Farnsley	John B. Mollett	Henry Ward
T. P. Fitzpatrick	W. E. Mull	L. R. Wells
James Garnett, Jr.	Tyler Munford	W. G. Williams
G. W. Garrett	Rodes K. Myers	Charles Wylie
Ferd A. Gnau	J. C. Nickell	
Eugene Gough	Russell O'Neill	—79

Those who voted in the negative were—

Henry H. Allen	V. O. Chandler	Leslie Larrimore
H. T. Baker	C. L. Hammons	Dr. H. S. Swope
Jas. C. Carter	Thomas W. Hines	R. Van Bever, Jr.

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Resolved that the title thereof be as aforesaid.

Mr. Myers moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Mr. Gnau moved that the Speaker appoint a Committee on the part of the House to confer with the Senate on proposed changes and amendments to a bill entitled:

H. B. 427. An Act relating to old age assistance (Pensions).

Said motion was agreed to.

Thereupon the Speaker appointed Messrs. Hammons, McCarthy and Shields as members constituting such Committee.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a resolution entitled:

H. Res. 38. A Joint Resolution of the House and Senate for the payment of certain witness fees named therein.

Said resolution is as follows, viz.:

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

A joint resolution for the payment of witness fees to

Obey Bell, M. B. Meece, Sophia Dykes, Elizabeth Whitaker, J. F. Whitaker, J. G. Bell, Elmer Rainey, W. F. Dykes, Sam Farmer and M. F. Besley, for their attendance as witnesses in the Pulaski circuit court.

Whereas, The above named parties were duly subpoenaed by the Sheriff of Pulaski County as witnesses in the case of ..... and their fees as witnesses were not paid, yet it was due them, because of the refusal of the State Auditor to pay them on the ground their claims were barred by limitation: Therefore,

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

That the Auditor of Public Accounts is directed to draw his warrant upon the Treasurer for the sum of $2.00 to Obey Bell, $2.00 to M. B. Meece, $1.00 to Sophia Dukes, $2.00 to Elizabeth Whitaker, $2.00 to J. G. Bell, $2.00 to J. F. Whitaker, $2.00 to Sam Farmer, $2.00 to Elmer Rainey, $1.00 to W. F. Dykes, $2.00 to W. F. Besley, for their respective attendance as witnesses in the above entitled action.

Ordered, that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen	G. M. Ballard	Wallace Brown
Henry H. Allen	B. F. Bedford	Jas. C. Carter
C. W. Anderson, Jr.	Reuben J. Boling	V. O. Chandler
H. T. Baker	Douglas Bolling	George S. Clay
W. T. Baker	Ollie J. Bowen	J. A. Coleman

Roy Conway	O. C. Jones	Hobart Rayburn
Herbert Cook	R. T. Kirkman	L. K. Rice
Harry Davis	J. F. Ladd	Wade H. Riley
Stanley S. Dickson	Leslie Larrimore	Joe E. Robinson
George W. Dunlap	Robert E. Lee	John C. Robinson
Garland Embry	M. T. McCarthy	W. T. Rollo
Walter R. Fannin	T. B. McConnell	A. W. Ross
Chas. P. Farnsley	J. L. McDermott	Carl Scheben
T. P. Fitzpatrick	Lloyd MacDonald	Carl Schneider
James Garnett, Jr.	W. F. McGary	Ray O. Shehan
G. W. Garrett	Elmer McGlothen	Dr. B. F. Shields
Ferd A. Gnau	C. S. Matherly	P. L. Sidebottom
Eugene Gough	Duke Mayfield	H. C. Steely
Ben Grogan	G. S. Milam	Henry Stewart
Jas. T. Hamilton	W. H. Miller	Dr. H. S. Swope
C. L. Hammons	John B. Mollett	W. R. Tapp
W. L. Hampton, Jr.	W. E. Mull	R. Van Bever, Jr.
Thomas W. Hines	Tyler Munford	S. J. Wagner
Clyde S. Howard	Rodes K. Myers	Henry Ward
Ira W. Hulette	Russell O'Neill	L. R. Wells
John M. Hunnicut	Mel Petry	W. G. Williams
Ben W. Johnson	A. W. Pfeiffer	Charles Wylie
J. H. Jones	J. C. Ramey	—83

There voted in the negative—

Roscoe Claxon —1

Resolved that the title thereof be as aforesaid.

Mr. Coleman moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 108. An Act to repeal and re-enact Section 2043-12, Supplement Carroll's Kentucky Statutes, 1930 Edition, the same being Section 12 of Chapter 68 of the Acts of the General Assembly of 1930 and entitled, "An Act concerning the manner of commitment of incompetent veterans of the World War who are beneficiaries of World War Veterans' Act as amended; and regulating the appointment, defining the duties and governing the actions of guardians and committees for beneficiaries of the World War Veterans' Act, as amended, and the World War Adjusted Compensation Act, as amended."

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 2043-12, Supplement Carroll's Kentucky Statutes, 1930 Edition, being Section 12 of Chapter 68 of the Acts of the General Assembly, 1930, relating to the manner of commitment of incompetent veterans of the World War who are beneficiaries of the World War Veterans' Act as amended; and regulating the appointment, defining the duties and governing the actions of guardians and committees for beneficiaries of the World War Veterans' Act, as amended, and the World War Adjusted Compensation Act, as amended, be and the same is hereby repealed, amended and re-enacted, so that such section when thus repealed, amended and re-enacted shall read as follows:

SECTION 12. Every guardian or committee, who has or is receiving funds from the Veterans' Administration, shall, before investing such funds of the estate, obtain the prior order of the court and with such prior order shall invest the funds of the estate in such manner and in such securities or annuities, in which the guardian or committee has no interest, as allowed by law.

All laws or parts of laws in conflict herewith are hereby repealed.

Whereas, Any delay in the privilege of so investing the funds of a veteran may result in a loss of income to such veteran, an emergency is hereby declared to exist, and this Act shall take effect upon its passage and approval by the Governor.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen	Garland Embry	J. F. Ladd
Henry H. Allen	Walter R. Fannin	Leslie Larrimore
C. W. Anderson, Jr.	Chas. P. Farnsley	Robert E. Lee
H. T. Baker	T. P. Fitzpatrick	M. T. McCarthy
G. M. Ballard	James Garnett, Jr.	T. B. McConnell
B. F. Bedford	G. W. Garrett	J. L. McDermott
Reuben J. Boling	Ferd A. Gnau	Lloyd MacDonald
Douglas Bolling	Eugene Gough	W. F. McGary
Ollie J. Bowen	Ben Grogan	Elmer McGlothen
Wallace Brown	Jas. T. Hamilton	C. S. Matherly
Dr. R. A. Byers	C. L. Hammons	Duke Mayfield
Jas. C. Carter	W. L. Hampton, Jr.	G. S. Milam
V. O. Chandler	Thomas W. Hines	W. H. Miller
Roscoe Claxon	Price Holbrook	John B. Mollett
George S. Clay	Clyde S. Howard	W. E. Mull
J. A. Coleman	Ira W. Hulette	Tyler Munford
Roy Conway	John M. Hunnicut	Rodes K. Myers
Herbert Cook	Ben W. Johnson	J. C. Nickell
Harry Davis	J. H. Jones	Russell O'Neill
Sam Dever	O. C. Jones	Mel Petry
Stanley S. Dickson	R. T. Kirkman	J. C. Ramey

Hobart Rayburn	Carl Schneider	W. R. Tapp
L. K. Rice	Ray O. Shehan	S. J. Wagner
Wade H. Riley	Dr. B. F. Shields	Joseph L. Wall
Joe E. Robinson	Chester D. Silvers	Henry Ward
John C. Robinson	Bruce Sloan	L. R. Wells
W. T. Rollo	H. C. Steely	W. G. Williams
A. W. Ross	Henry Stewart	Charles Wylie
Carl Scheben	Dr. H. S. Swope	—86

Resolved that the title thereof be as aforesaid.

Mr. Shehan moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a resolution entitled:

H. Res. 30. Joint Resolution authorizing and directing payment of the sum of $463.97 to Brown-Richardson & Company representing the balance due for material furnished for the construction of an armory at Russellville, Kentucky.

Said resolution is as follows, viz.:

Whereas, Brown-Richardson & Company of Russellville was awarded contract for furnishing certain material for the construction of an armory in the city of Russellville, by certain state agencies and state departments; and,

Whereas, Said material was furnished and the agreed contract price of same amounted to $2,361.03, and the balance due on same amounts to the sum of $463.97; and,

Whereas, Said sum is now due and unpaid, and said building has been completed and is now in use: Now, Therefore,

Be it Resolved by the House of Representatives of the Commonwealth of Kentucky, the Senate concurring therein:

That the sum of $463.97 be and the same is hereby appropriated out of the General Expenditure Fund to be paid to the said Brown-Richardson & Company, and the Auditor of Public Accounts is directed to draw his warrant upon the Treasurer for the aforesaid sum and to deliver same to the said Brown-Richardson & Company, Russellville, Kentucky, for the purposes aforesaid.

Ordered, that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	George S. Clay	Jas. T. Hamilton
C. W. Anderson, Jr.	J. A. Coleman	W. L. Hampton, Jr.
H. T. Baker	Roy Conway	Thomas W. Hines
W. T. Baker	Herbert Cook	Clyde S. Howard
G. M. Ballard	Harry Davis	Ira W. Hulette
E. F. Bedford	Sam Dever	Ben W. Johnson
Reuben J. Boling	Stanley S. Dickson	J. H. Jones
Douglas Bolling	Garland Embry	O. C. Jones
Ollie J. Bowen	Walter R. Fannin	R. T. Kirkman
Wallace Brown	Chas. P. Farnsley	J. F. Ladd
Dr. R. A. Byers	James Garnett, Jr.	Leslie Larrimore
Jas. C. Carter	G. W. Garrett	Robert E. Lee
V. O. Chandler	Ferd A. Gnau	M. T. McCarthy
Floyd Clark	Eugene Gough	T. B. McConnell
Roscoe Claxon	Ben Grogan	J. L. McDermott

Lloyd MacDonald	A. W. Pfeiffer	Bruce Sloan
W. F. McGary	J. C. Ramey	H. C. Steely
Elmer McGlothen	Hobart Rayburn	Henry Stewart
C. S. Matherly	L. K. Rice	Dr. H. S. Swope
Duke Mayfield	Wade H. Riley	W. R. Tapp
G. S. Milam	Joe E. Robinson	J. J. Thomas
W. H. Miller	W. T. Rollo	R. Van Bever, Jr.
John B. Mollett	A. W. Ross	S. J. Wagner
W. E. Mull	Carl Scheben	Henry Ward
Tyler Munford	Carl Schneider	L. R. Wells
Rodes K. Myers	Ray O. Shehan	W. G. Williams
J. C. Nickell	P. L. Sidebottom	Charles Wylie
Russell O'Neill	Chester D. Silvers	—83

There voted in the negative—

John M. Hunnicut —1

Resolved that the title thereof be as aforesaid.

Mr. Milam moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 337. An Act to prohibit marathons, danceathons, walkathons, skateathons, or any endurance contest of a like or similar nature in the State of Kentucky, and providing penalties for any person, firm or corporation participating in, aiding in or promoting such contests.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. It shall be unlawful for any person or persons,

firm or corporation, to advertise, maintain, promote or to aid in the advertising, operating, promoting or maintaining of any mental or physical endurance contest in the nature of a dance, marathon, walkathon, skateathon or any such endurance contest of a like or similar nature, whether under that or similar names. Nothing in this bill shall apply to the continuance of the ordinary amateur or professional athletic events or contests of high school, college or intercollegiate sports.

§ 2. Any person, firm or corporation participating in or promoting any such contests and violating any of the provisions of this bill shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than $50 nor more than $300, to which may be added imprisonment not exceeding one hundred and eighty (180) days, in the discretion of the court. Each day on which violations continue shall constitute a separate offense under this act.

Mr. Davis offered the following amendment to said bill, viz.:

Amend H. B. 337. Page 1, Article 1, line 4, of the printed bill by adding after the word "skateathon" the words "tree-sitting, pole-sitting".

Said amendment was disagreed to.

Mr. Ward moved the Previous Question.

Thereupon the Speaker announced "Shall the Main Question be now put?"

Which was decided in the affirmative.

Mr. Ward moved that the vote by which the Previous Question was ordered, be reconsidered.

Said motion was agreed to.

Thereafter such reconsideration, Mr. Garnett offered the following amendment to said bill, viz.:

Amend H. B. 337 by adding after the word "sports" in line 8, page 1, the words "six-day bicycle racing or similar contests which are conducted for a definite length of time".

Said amendment was agreed to.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Garland Embry	T. B. McConnell
G. M. Ballard	James Garnett, Jr.	J. L. McDermott
Reuben J. Boling	G. W. Garrett	W. F. McGary
Douglas Bolling	Ben Grogan	Elmer McGlothen
Ollie J. Bowen	W. L. Hampton, Jr.	C. S. Matherly
Wallace Brown	Thomas W. Hines	Duke Mayfield
V. O. Chandler	Clyde S. Howard	J. C. Nickell
Roscoe Claxon	Ira W. Hulette	Russell O'Neill
George S. Clay	John M. Hunnicut	Mel Petry
J. A. Coleman	Ben W. Johnson	Hobart Rayburn
Roy Conway	J. H. Jones	L. K. Rice
Herbert Cook	O. C. Jones	Carl Scheben
Harry Davis	J. F. Ladd	Carl Schneider
Sam Dever	Robert E. Lee	Dr. B. F. Shields

P. L. Sidebottom	R. Van Bever, Jr.	W. G. Williams
Chester D. Silvers	S. J. Wagner	Charles Wylie
Dr. H. S. Swope	Joseph L. Wall	
W. R. Tapp	Henry Ward	—52

Those who voted in the negative were—

F. T. Allen	C. L. Hammons	J. C. Ramey
C. W. Anderson, Jr.	Price Holbrook	Wade H. Riley
H. T. Baker	R. T. Kirkman	Joe E. Robinson
W. T. Baker	Leslie Larrimore	John C. Robinson
Jas. C. Carter	M. T. McCarthy	W. T. Rollo
Floyd Clark	Lloyd MacDonald	Ray O. Shehan
Howard G. Early	G. S. Milam	Bruce Sloan
Chas. P. Farnsley	John B. Mollett	H. C. Steely
T. P. Fitzpatrick	W. E. Mull	Henry Stewart
Ferd A. Gnau	Tyler Munford	J. J. Thomas
Eugene Gough	Rodes K. Myers	L. R. Wells
		—33

Resolved that the title thereof be as aforesaid.

Mr. Ward moved that the vote by which said bill was passed, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the hour of three o'clock P. M., the House took up for consideration the Special Order of the Day, to-wit: a bill entitled:

H. B. 121. An Act relating to the employment of State prisoners; definition of terms used in Act; stating purpose of Act; defining duties of Department of Public Welfare under the provisions of this Act; authorizing and empowering the Department of Public Welfare (1) to release State prisoners to the State Highway Department for service on the public roads and highways within this State for their maintenance and guarding, (2) to use and employ State pris-

oners in the preparation of materials and in the erection of any or all State buildings wherein State funds are used, (3) to contract with contractors of public printing for the use and employment of State prisoners on public printing and for this purpose said Department of Public Welfare may lease or purchase, through proper agencies, all machinery and/or other equipment and materials necessary for the production of any or all public printing and to furnish same to any such contractor in the execution of public printing; disposing of revenue raised by operation of this Act; providing severable enactment of the sections and provisions of this Act; repealing all laws or parts of laws, or acts or parts of acts in conflict herewith to the extent of such conflict; and declaring an emergency to exist.

With a Committee amendment thereto by way of Substitute therefor.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. *Definitions.* The meaning and scope of certain terms used in this Act are defined as follows: "Department of Public Welfare" shall mean the members of the governing board or department now in charge of the State prisons and State prisoners, or that may hereafter be in such charge by change of law; "State Departments" shall include each and every board, department or agency of the State government, or any board, department or separate agency functioning thereunder; "State Prisons" shall mean the State reformatories or penitentiaries at Frankfort, Ky., and Eddyville, Ky., and the School of Reform at Greendale, Ky., and any other similar institution now existing or that may be created by law hereafter; "State Prisoners" shall include the inmates of all State prisons as herein defined; "prison labor" means work or service of State prisoners as described herein; "pub-

lic printing", as used herein, shall mean and include all printing, binding, manufacturing and/or production of printed, bound or other paper products, that are purchased for use in all State departments, or any of them, and/or all school textbooks for the eight grades of the public school of the State, and/or all printed supplies furnished schools or school officials throughout and by the State, and/or printed ledgers, or ledgers with printed headings and ruled pages or unruled or blank books or other printed or other matter furnished by the State of Kentucky to counties, and/or courts or to any one else by this Commonwealth; "Board of Printing Commissioners" shall mean the board or agency now or hereafter provided by law to have charge of the contracting for public printing; "State Highway Department" shall mean the State Highway Commission, or other agency that may be created hereafter having charge of roads and highways.

§ 2. The purpose of this Act is hereby declared to be the employment of prisoners for their exercise and other benefit and to defray the expenses of the State prisons and State prisoners and to conserve State funds.

§ 3. The Department of Public Welfare shall be charged with the duty of providing employment for all State prisoners, and it shall be the duty of said Department to exhaust every resource at its command to provide suitable and legal employment for all prisoners in its custody, and thereby to raise revenue for the self-support of said prisoners and the State prisons and to give needed exercise and to prevent idleness, mutiny, and discontent in said prisons.

§ 4. The Department of Public Welfare is hereby authorized and empowered, for purposes of this Act, as follows: (1) To release all State prisoners on demand, that with safety may be released by law, to the State Highway Commission or State Highway Department for service on the public roads and highways within this State on condition that the said Highway Department shall properly board and

safely and humanely guard and keep said prisoners at its expense; (2) To use and employ said State prisoners in the preparation of materials and in the erection of any or all State buildings wherein State funds are used; (3) To contract with any or all public printing contractors for the use and employ of State prisoners on public printing, and for this purpose said Department of Public Welfare may lease, borrow, or purchase through proper agencies, all machinery and/or other equipment and materials necessary for the production of any or all public printing and to furnish same to any such contractor of public printing on terms and conditions advantageous to the State.

§ 5. Any and all revenues raised under this Act shall be paid into the "Prison Revolving Fund", as now provided by law, and shall be used with any other available funds in payment for equipment and materials furnished by the said Department under Section 4 of this Act, and any surplus may be used for other purposes.

§ 6. It is the purpose of the General Assembly to, and the sections and provisions of this Act are severably and separately enacted and are declared to be separate and independent of every other section or provision thereof, and if any section or provision of this Act shall be held unconstitutional or invalid, no other section or provision shall be affected thereby.

§ 7. All laws or parts of laws, or acts or parts of acts in conflict herewith are hereby repealed to extent of such conflict.

§ 8. It appearing that the larger part of State prisoners are now idle, numbering approximately 3,500, and that due to said lack of employment there is great danger of mutiny and discontent, and that said prisoners are being maintained at a great cost and loss to the State of Kentucky, wherefore, an emergency is declared to exist and this Act shall take effect immediately upon its passage and approval by the Governor.

Said Substitute is as follows, viz.:

H. B. 121. An Act relating to prisoners now or hereafter confined in State prisons; providing for the working of such prisoners on prison farms, highways, and other public works; providing for the care, supervision, discipling, maintenance, transportation, and housing of such prisoners while so engaged and for the payment of the costs and expenses thereof; authorizing payment of compensation to such prisoners and their dependent families; repealing all laws and parts of laws in conflict with the Act; and declaring an emergency.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. The State Welfare Board is hereby authorized and directed to classify for working purposes all prisoners now or hereafter confined in the State prisons. In making such classifications the State Welfare Board shall take into account the past record of each prisoner before and after confinement in prison, his age, physical fitness for various types of work and such other conditions as the Board may deem proper in order to classify each and every prisoner as to his general fitness and suitability for work within and without the prison walls or enclosures. Provided, however, that no prisoner who has been sentenced for rape, attempted rape, detaining a woman against her will, or who has escaped or attempted to escape, or who has been convicted and sentenced more than twice, or who has been convicted of highway robbery or bank robbery, shall be worked or released for work outside of the walls of the prison; and no prisoner who has been sentenced to life imprisonment shall be worked or released for work outside of the walls of the prison until he shall have actually served within the walls of the prison five (5) years or more of such sentence.

§ 2. The State Welfare Board shall make and establish such rules and regulations as it may deem necessary or proper in relation to:

(a) The classification of prisoners as provided in Section 1.

(b) The terms and conditions under which such prisoners may be assigned to work under the direction of any other State Commission, Department, Board or Agency.

(c) For the adequate care, supervision, guarding, discipline, maintenance, transportation and housing of such prisoners when so assigned to work outside of the prison walls or enclosures.

(d) For the payment of money to such prisoners and their dependents for work performed under the provisions of this Act, including the amount to be paid and the manner of the payment and distribution thereof.

(e) For such other purposes as the Board may deem necessary and proper for carrying out the intent of this Act, and not in conflict with any of the provisions thereof

§ 3. The State Welfare Board is hereby authorized to enter into contracts with any other Commission, Board, Department or Agency of this State for the use and employment by such other Commissions, Boards, Departments or Agencies of prisoners who may be eligible for such assignments under the provisions of this Act and the rules and regulations made and established by the Welfare Board. Such contracts shall specifically set forth the compensation to be paid to the Welfare Board for the use and employment of such prisoners, for the payment of the expenses of transporting, guarding, housing, disciplining, and maintaining such prisoners while so employed and the amount so provided to be paid shall be certified by the contracting parties to the Auditor of Public Accounts at the end of each month and the same shall be charged to the appropriation of the Commission, Board, Department or Agency liable for the payment thereof and credited to the budget of the Department of Public Welfare to be disbursed and expended as said Board shall direct. Provided, however, that any such contract may provide for a

fixed per diem compensation to be paid to the State Welfare Board for each day's work performed by any such prisoner and that the Welfare Board out of the per diem compensation so fixed shall pay such or all of the expenses of transportation, guarding, disciplining, housing and maintaining of the prisoners as may be provided in such contracts.

§ 4. Prisoners confined in the State prisons shall not be required by the State Welfare Board, either by contract or otherwise, to work or labor outside of the walls or enclosures of the prison except:

(a) On the construction, reconstruction or maintenance of public roads and bridges.

(b) The making and preparing materials for public roads and bridges.

(c) Work upon the public works of the Commonwealth of Kentucky,

(d) On a State Farm or farms, and

(e) Except during pestilence or in the case of the destruction of prison buildings when such prisoners cannot be confined within the prison walls or enclosures.

Such prisoners shall not be used in any county for work either in the construction, improvement or maintenance of any county highway without the consent of the Fiscal Court of such County.

§ 5. The rules and regulations to be made and established by the Board of Welfare, as hereinabove provided, shall provide some definite and fixed compensation to be paid to the prisoner or his dependents for each day such prisoner works or labors outside of the prison walls or enclosures under any contract made under the provisions of this Act. It shall be the duty of said Board to collect information concerning the number and requirements of the dependents of the prisoners, and those with families of greatest dependency shall, in the discretion of said Board, be given preference in assignments to work outside of the prison walls or enclosures

under the provisions of this Act, if the record, physical ability, conduct and behavior of such prisoner warrants such preference.

The rules and regulations authorized by this Act may provide that in the event of any infraction of such rules or of the rules governing the discipline of such prisoner, either while confined within the walls of the prison, or while engaged in employment as provided in this Act outside of said prison, by any prisoner, shall work a forfeiture of the benefits authorized in this Section, either in whole or in part, in the discretion of the State Welfare Board. Payments to the prisoners or their dependents as authorized by this Section shall be made subject to the aforesaid rules and regulations, as other expenses of the Welfare Board, but only out of the funds made available under the provisions of the particular contract under which such prisoners have been employed.

§ 6. Before any contract authorized by this act shall become effective, it must be approved by the Governor in writing; and, it is hereby declared to be the legislative intent that each and every contract entered into under this act shall provide for the payment to the State Welfare Board of an amount sufficient to pay the entire cost of the care, housing, transporting, guarding, disciplining, and maintanining all the prisoners assigned to work under such contract for the period of time during which they are so assigned.

§ 7. Chapter one hundred fifty (150) of the acts of the General Assembly of 1926 and all other acts and parts of acts, and laws and parts of laws in conflict herewith, to the extent of such conflict, hereby are repealed.

§ 8. If any clause, sentence, paragraph, section or part of this act shall for any reason be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such judgment shall not affect, impair or invalidate the remainder of this act, but the effect of such judgment shall be limited to the clause, sentence, paragraph, section or part thereof

directly involved in the controversy in which such judgment shall have been rendered; and, it hereby is declared to be the intent of the General Assembly to enact each clause, sentence, paragraph and section separately, and it is further declared that if any clause, sentence, paragraph, section or part of the act be held invalid the General Assembly nevertheless would have enacted the remainder of this act.

§ 9. Whereas, a large percentage of the number of the prisoners confined in state prisons are now idle; and, due to lack of employment there is a great danger of mutiny, discontent; and, whereas, said prisoners are being maintained at great cost and loss to the Commonwealth of Kentucky, an emergency is hereby declared to exist and this act shall become effective immediately upon its passage and approval by the Governor.

Said Substitute was then adopted.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen	Douglas Bolling	George S. Clay
Henry H. Allen	Ollie J. Bowen	Roy Conway
H. T. Baker	Wallace Brown	Herbert Cook
W. T. Baker	Dr. R. A. Byers	Harry Davis
G. M. Ballard	V. O. Chandler	Sam Dever
B. F. Bedford	Roscoe Claxon	Stanley S. Dickson

George W. Dunlap	J. L. McDermott	A. W. Ross
Garland Embry.	Lloyd MacDonald	Carl Scheben
Chas. P. Farnsley	W. F. McGary	Carl Schneider
G. W. Garrett	Elmer McGlothen	Dr. B. F. Shields
Eugene Gough	C. S. Matherly	P. L. Sidebottom
Ben Grogan	Duke Mayfield	Chester D. Silvers
W. L. Hampton, Jr.	John B. Mollett	Bruce Sloan
Price Holbrook	Rodes K. Myers	H. C. Steely
Clyde S. Howard	J. C. Nickell	Henry Stewart
Ira W. Hulette	Russell O'Neill	Dr. H. S. Swope
Ben W. Johnson	Mel Petry	W. R. Tapp
J. H. Jones	A. W. Pfeiffer	J. J. Thomas
O. C. Jones	J. C. Ramey	Joseph L. Wall
R. T. Kirkman	Hobart Rayburn	Henry Ward
J. F. Ladd	L. K. Rice	L. R. Wells
Robert E. Lee	Wade H. Riley	W. G. Williams
M. T. McCarthy	Joe E. Robinson	Charles Wylie
T. B. McConnell	John C. Robinson	

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Those who voted in the negative were—

C. W. Anderson, Jr.	James Garnett, Jr.	W. E. Mull
Reuben J. Boling	Ferd A. Gnau	Tyler Munford
Jas. C. Carter	Jas. T. Hamilton	W. T. Rollo
J. A. Coleman	C. L. Hammons	Ray O. Shehan
Howard G. Early	John M. Hunnicut	R. Van Bever, Jr.
T. P. Fitzpatrick	G. S. Milam	S. J. Wagner

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Resolved that the title thereof be as amended.

Mr. Myers moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the hour of three-thirty o'clock P. M. the House took up for consideration the Special Order of the Day, to wit: a bill entitled:

H. B. 189. An Act to subject to execution and garnishment salaries of State, County and Municipal employees.

With an amendment thereto.

(For bill and amendment see House Journal of yesterday.)

By unanimous consent the amendment as offered by Mr. Hulette on yesterday, was withdrawn.

Mr. Shehan offered the following amendment to said bill, viz.:

Amend H. B. 189 by adding the words, phrases and sentences "that all suits, whether actions at law or in equity, wherein the salaries or sum due State, County and Municipal employees are garnisheed as provided herein, shall be filed in any court of this State, which court has jurisdiction of the subject matter of such suit or action as is now provided by law".

Said amendment was agreed to.

Mr. Schneider offered the following amendment to said bill, viz.:

Amend H. B. 189 by inserting in line 1, after the word "county", the words "school boards".

Said amendment was agreed to.

Mr. Shehan moved the Previous Question.

Thereupon the Speaker announced "Shall the Main Question be now put?"

Which was decided in the affirmative.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—.

Henry H. Allen	Eugene Gough	Russell O'Neill
C. W. Anderson, Jr.	Ben Grogan	Mel Petry
H. T. Baker	Jas. T. Hamilton	Hobart Rayburn
W. T. Baker	C. L. Hammons	L. K. Rice
G. M. Ballard	W. L. Hampton, Jr.	Wade H. Riley
B. F. Bedford	Thomas W. Hines	W. T. Rollo
Douglas Bolling	Clyde S. Howard	A. W. Ross
Ollie J. Bowen	Ira W. Hulette	Carl Scheben
Wallace Brown	John M. Hunnicut	Carl Schneider
Dr. R. A. Byers	Ben W. Johnson	Ray O. Shehan
Jas. C. Carter	J. H. Jones	Dr. B. F. Shields
Floyd Clark	O. C. Jones	P. L. Sidebottom
Roscoe Claxon	R. T. Kirkman	Chester D. Silvers
George S. Clay	Robert E. Lee	Bruce Sloan
J. A. Coleman	M. T. McCarthy	H. C. Steely
Roy Conway	J. L. McDermott	Dr. H. S. Swope
Herbert Cook	Lloyd MacDonald	J. J. Thomas
Harry Davis	W. F. McGary	R. Van Bever, Jr.
Sam Dever	Elmer McGlothen	S. J. Wagner
Stanley S. Dickson	C. S. Matherly	Joseph L. Wall
Howard G. Early	Duke Mayfield	Henry Ward
Garland Embry	G. S. Milam	L. R. Wells
H. Myer Garner	W. H. Miller	W. G. Williams
James Garnett, Jr.	John B. Mollett	Charles Wylie
G. W. Garrett	Tyler Munford	

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Those who voted in the negative were—

Reuben J. Boling	J. F. Ladd	J. C. Ramey
V. O. Chandler	T. B. McConnell	Joe E. Robinson
George W. Dunlap	W. E. Mull	John C. Robinson
Walter R. Fannin	Rodes K. Myers	
Price Holbrook	A. W. Pfeiffer	—13

Mr. Baker offered the following amendment to the title of said bill, viz.:

Amend the title to H. B. 189 as follows: "An Act to subject to execution and garnishment salaries of State, county, school boards and municipal employees; and providing in which courts any such suits shall be filed".

Said amendment was agreed to.

Resolved that the title thereof be as amended.

Mr. Baker moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Dr. Shields of the Committee on Rules, to which the same had been referred, reported bills and resolutions, entitled:

S. B. 194. An Act to amend Carroll's Kentucky Statutes, relating to the elimination of double liability of stockholders in banks, trust companies, and combined banks and trust companies.

S. B. 140. An Act to amend Carroll's Kentucky Statutes, to increase the surplus of banks, etc.

S. B. 234. An Act to repeal, amend, re-enact Carroll's

Kentucky Statutes relating to the organization of loan and investment companies.

S. B. 135. An Act for the protection of Dear and Elk.

S. B. 134. An Act for the protection of Wild Turkey, etc.

S. B. 136. An Act to amend Carroll's Kentucky Statutes relating to divorce by adding thereto certain causes for divorce to the husband.

S. B. 182. An Act providing for local option elections and prohibiting sale, barter and loan of intoxicating liquors in local option territory.

S. Res. 23. Resolution authorizing the personal representative of Sarah Marks, Gladys Madison and Daisy Carter to sue the Commonwealth.

S. Res. 26. Resolution authorizing the personal representative of Clay Lightfoot, deceased, and Rena Lightfoot to sue the Commonwealth.

S. Res. 28. Resolution authorizing Floyd Mays to sue the Commonwealth.

S. Res. 30. Resolution authorizing B. F. Turner to file suit against the Commonwealth.

S. Res. 38. Resolution authorizing James William May to sue the Commonwealth.

S. B. 95. An Act pertaining to banks, trust companies and combined banks and trust companies, and to amend Carroll's Kentucky Statutes to provide exemption and limitation on the security required by law, etc.

S. B. 154. An Act providing for the removal of the Superintendent of Schools, etc.

H. B. 580. An Act relating to the Primary System of Roads and Highways.

H. B. 581. An Act relating to the Primary System of Roads and Highways.

H. B. 582. An Act relating to the Primary System of Roads and Highways.

H. B. 583. An Act relating to the Primary System of Roads and Highways.

H. B. 584. An Act relating to the Primary System of Roads and Highways.

H. B. 585. An Act relating to the Primary System of Roads and Highways.

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H. B. 588. An Act relating to the Primary System of Roads and Highways.

H. B. 589. An Act relating to the Primary System of Roads and Highways.

H. B. 590. An Act relating to the Primary System of Roads and Highways.

H. B. 591. An Act relating to the Primary System of Roads and Highways.

H. B. 592. An Act to repeal Carroll's Kentucky Statutes, relating to the exemption of property for revenue and taxation.

H. B. 593. An Act creating the office of stenographer to the County Attorney in counties containing cities of the third class, etc.

H. B. 594. An Act to repeal Chapter 33 of the Acts of 1932, relative to burial associations.

H. B. 595. An Act to amend and re-enact Section 4366t-7, providing for acquisition and condemnation of roads and passageways for public purposes.

H. B. 596. An Act amending the Acts of the General Assembly of 1934, relating to independent school districts.

H. B. 597. An Act providing for the employment of additional employees of the Kentucky Railroad Commission.

H. B. 598. An Act to appropriate more money to the Kentucky Railroad Commission.

With the expression of opinion that said bills ought to pass.

Said bills were severally read at length the first time and ordered to be placed on the Calendar.

At the instance of the Committee on Rules, the House took up for consideration from the Calendar bills of the following titles, viz.:

H. B. 576. An Act relating to the Primary System of Roads and Highways.

H. B. 577. An Act to repeal Carroll's Kentucky Statutes, relating to employment of Matrons in Jails.

H. B. 578. An Act to repeal Carroll's Kentucky Statutes, relating to employment of physicians for jails.

H. B. 579. An Act to provide for the extension and construction of state highways in the Primary System.

H. Res. 62. Resolution providing for furnishing Kentucky Directories.

S. B. 253. An Act relating to the Kentucky State Board of Dental Examiners.

Ordered that said bills be read the second time.

The Constitutional provision as to the second reading of said bills at length being dispensed with, said bills were read the second time by their titles only.

Ordered that said bills be placed in the Orders of the Day.

Mr. Dickson of the Committee on Enrollment reported that they had examined and found to be correctly enrolled, bills and resolutions of the following titles, viz.:

S. B. 27. An Act relating to the Primary System of Roads and Highways.

S. B. 26. An Act relating to the Primary System of Roads and Highways.

S. B. 35. An Act relating to the Primary System of Roads and Highways.

S. B. 67. An Act relating to the Primary System of Roads and Highways.

S. B. 98. An Act relating to the Primary System of Roads and Highways.

S. B. 80. An Act relating to the Primary System of Roads and Highways.

S. B. 81. An Act relating to the Primary System of Roads and Highways.

S. B. 84. An Act relating to the Primary System of Roads and Highways.

S. B. 96. An Act relating to the Primary System of Roads and Highways.

S. B. 99. An Act relating to the Primary System of Roads and Highways.

S. B. 101. An Act relating to the Primary System of Roads and Highways.

S. B. 43. An Act to amend and re-enact Section 2740, Kentucky Statutes, 1930 Edition, relating to the classification of cities.

S. B. 39. An Act pertaining to the retirement of teachers from the common schools of Kentucky.

S. B. 60. An Act pertaining to cities of the second class.

H. Res. 14. A Resolution for the sine die adjournment of the General Assembly on February 15, 1936.

H. B. 156. An Act relating to the fiscal courts composed of County Judge and County Commissioners, repealing and re-enacting Section 1850, Kentucky Statutes, Carroll's 1930 Edition.

Thereupon all other business was suspended, said bills were read at length and compared in open session and found to be correctly enrolled and thereupon the Speaker, in open session and in the presence of the House, affixed his signature thereto.

Ordered that said bills which originated in the Senate, be delivered to the Enrolling Clerk of the Senate.

Ordered that the Enrolling Clerk of the House deliver said bills and resolutions which originated in the House to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled copies of said bills and resolutions duly signed by the President of the Senate, into the possession of the Chief Clerk.

Ordered that the Chief Clerk, aforesaid, deliver said bills and resolutions to the Governor.

After a time the Chief Clerk reported that he had discharged that duty.

Mr. Hammons moved that the House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

FRIDAY, FEBRUARY 7, 1936.

The House was opened with prayer by the Reverend Alexander M. Warren of the Presbyterian Church, North, of Frankfort, Kentucky.

The roll was called and the following members answered to their names, viz.:

F. T. Allen
Henry H. Allen
C. W. Anderson, Jr.
H. T. Baker
W. T. Baker
G. M. Ballard
B. F. Bedford
Reuben J. Boling
Douglas Bolling
Ollie J. Bowen
Wallace Brown
Dr. R. A. Byers
Jas. C. Carter
V. O. Chandler
Floyd Clark
Roscoe Claxon
George S. Clay
J. A. Coleman
Roy Conway
Herbert Cook
Harry Davis
Sam Dever
Stanley S. Dickson
George W. Dunlap
Howard G. Early
Garland Embry
Walter R. Fannin
Chas. P. Farnsley
T. P. Fitzpatrick
H. Myer Garner
James Garnett, Jr.
G. W. Garrett
Ferd A. Gnau
Eugene Gough
Ben Grogan
Jas. T. Hamilton
C. L. Hammons
W. L. Hampton, Jr.
Thomas W. Hines
Price Holbrook
Clyde S. Howard
Ira W. Hulette
John M. Hunnicut
Ben W. Johnson
O. C. Jones
J. H. Jones
R. T. Kirkman
J. F. Ladd
Robert E. Lee
M. T. McCarthy
T. B. McConnell
J. L. McDermott
Lloyd MacDonald
W. F. McGary
Elmer McGlothen
John Marshall
Duke Mayfield
G. S. Milam
W. H. Miller
John B. Mollett
W. E. Mull
Tyler Munford
Rodes K. Myers
J. C. Nickell
Russell O'Neill
Mel Petry
A. W. Pfeiffer
J. C. Ramey
Hobart Rayburn
Harry C. Records
L. K. Rice
Wade H. Riley
Joe E. Robinson
John C. Robinson
W. T. Rollo
A. W. Ross
Carl Scheben
Carl Schneider
Ray O. Shehan
Dr. B. F. Shields
P. L. Sidebottom
Chester D. Silvers
H. C. Steely
Henry Stewart
Dr. H. S. Swope
W. R. Tapp
J. J. Thomas
R. Van Bever, Jr.
S. J. Wagner
Joseph L. Wall
Henry Ward
L. R. Wells
W. G. Williams
Charles Wylie

Mr. Davis moved that the reading of the Journal of yesterday's proceedings be dispensed with.

Said motion was agreed to.

Mr. Davis moved that the session of today be extended indefinitely.

Said motion was agreed to.

Mr. Myers moved that when the House adjourn today, it adjourn to meet again on Saturday, February 8, at ten o'clock A. M.

Said motion was agreed to.

At the instance of the Committee on Rules the following bills were introduced, ordered printed and referred as follows:

By Mr. Lee:

H. B. 599. An Act establishing as a part of the primary road system a road extending from the intersection of same with the Monticello-Parnell Road on top of Collet's Hill, by way of Eadsville, to Lock No. 21 on Cumberland River, in Wayne County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is hereby established as a part of the primary road system in Wayne County, Kentucky, a road leading from the intersection of same with the Monticello-Parnell Road on top of Collet's Hill, by way of Eadsville, to Lock No. 21 on Cumberland River.

By Mr. Lee:

H. B. 600. An Act establishing as a part of the primary road system a road extending from the intersection of same with the Monticello-Mount Pisgah Road near the residence of Harve Edwards to the intersection of same with the Monticello-Slickford Road on top of Edwards Mountain, in Wayne County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is hereby established as a part of the primary road system in Wayne County, Kentucky, a road leading from the intersection of same with the Monticello-Mount Pisgah Road to the intersection of same with the Monticello-Slickford Road on top of Edwards Mountain.

By Mr. Lee:

H. B. 601. An Act establishing as a part of the primary road system a road extending from the intersection of same with the Monticello-Parnell Road near the residence of J. H. Twyford to the intersection of same with the Monticello-Lock No. 21 Road near Eadsville Post Office in Wayne County, Kentucky

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is hereby established as a part of the primary road system in Wayne County, Kentucky, a road leading from the intersection of same with the Monticello-Parnell Road near the residence of J. H. Twyford to the intersection of same with the Monticello-Lock No. 21 Road near Eadsville Post Office.

By Mr. Fannin:

H. B. 602. An Act creating and establishing as a part of the primary system of highways of the Commonwealth of Kentucky a road from Gimlet, Kentucky, to Elliottsville, Kentucky, to intersect the Highway at Elliottsville via Ault, Kentucky, in Elliott County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of state highways of the Commonwealth of Kentucky, a road leading from Gimlet, Kentucky, to Elliottsville, Kentucky, to intersect the highway at Elliottsville via Ault, Kentucky, in Elliott County, Kentucky.

§ 2. This road thus established to be entitled to receive all benefits of such laws as are now or may hereafter be in effect relating to the primary system of roads and highways in the Commonwealth of Kentucky.

By Mr. Gnau:

H. B. 603. An Act to amend and re-enact Section 1243, Carroll's Kentucky Statutes, 1930 Edition, which is paragraph 115 of Chapter 182, found on page 786 of the Acts of April 10, 1893, of the Kentucky Legislature.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 1243, Carroll's Kentucky Statutes, 1930 Edition, be amended and re-enacted by striking therefrom the following words, "except a female" and "females convicted of petit larceny shall be confined in the county jail

not more than thirty days." So that after said Section 1243 is so amended and re-enacted it will read as follows:

"1243. Any person who shall steal a hog of less value than four dollars, or be guilty of the larceny of money, goods, chattels, or other property of less value than twenty dollars ($20.00) shall be punished by confinement in the county jail for not less than one nor more than twelve months.

By Mr. Miller:

H. B. 604. An Act relating to the appointment of employees in all branches of State, County and City Governments, political divisions or sub-divisions thereof, giving Veterans of the Spanish-American War and Veterans of the World War preference to such appointments where qualified to perform the work thereof and providing punishment of any official for violation of this Act.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. All citizens of Kentucky who served in the Army or the Navy, Marine Corps or other military capacity of the United States in the Spanish-American War or the World War of 1917-1919, and have been honorably discharged therefrom, shall be preferred for appointments and employed to fill positions in every public department or branch of political or sub-political division of the Commonwealth of Kentucky, or county, city or town thereof, and upon all public works of the said Commonwealth of Kentucky, county, city or town thereof, if competent to perform such services; and the person thus preferred shall not be disqualified from holding any position in said service on account of his or her age or by reason of any physical or mental disability, provided such age or disability does not render him, or her, incompetent to perform the duties of the position applied for; and

when any such veteran or ex-soldier or ex-sailor shall apply for appointment to any such position, place or employment, the officer, board or person whose duty it is or may be to appoint a person to fill such place shall, if the applicant be of good reputation, and can perform the duties of the position applied for by him or her, appoint said veteran, ex-soldier or ex-sailor, to such position, place or employment.

§ 2. Any state officer, or any Board composed of State officers, County, City or Town officers, or any Board who has been apoointed and who has charge of the penal or charitable institutions, or the state highway department of the state, or other state agency, who shall willfully disobey or neglect to obey the provisions of this Act shall be deemed guilty of a misdemeanor, and subject to a fine of not less than $100.00 and not more than $1,000.00, and for the second offense shall in addition to said fine be liable to a jail sentence of not exceeding six months and forfeit his or her office.

By Mr. Hamilton:

H. B. 605. An Act to establish as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at the intersection of Godfray Street, and the Bosworth Trail in the town of McKee, Jackson County, Kentucky, and leading to and intersecting the State Highway leading from Booneville to East Bernstadt, Kentucky, in the town of Anniville in Jackson County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there be and is now established as one of the primary road projects of the Commonwealth of Kentucky, the following:

Beginning at the intersection of Godfray Street and the Bosworth Trail in the town of McKee, Jackson County, Ken-

tucky, and running south by way of the Hellard Ford to and intersecting the State Highway leading from Booneville, Kentucky, to East Bendstadt, Kentucky, at the town of Anniville, Kentucky.

The route so established to be designated as Project No. ....., and to be entitled to receive all the benefits of such laws as are now or may be hereafter in effect with relation to the primary system of highways.

By Mr. Hamilton:

H. B. 606. An Act to amend and describe the course of road Project No. 83 being Act of 1924 C. 191, amended by Act 1928 C. 397, and Act 1934 C. 315, of the primary system of roads and highways in the Commonwealth of Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That a state highway be established between the town of McKee, Jackson County, Kentucky, and Irvine, Estill County, Kentucky, as a part of the primary system of roads in Kentucky.

Beginning at the intersection of David Street and the Bosworth Trail in the town of McKee, Jackson County, Kentucky, and leading north out David Street and up Bill's Branch, by way of Indian House, Foxtown, Sand Springs, Drip Rock, Wagersville ..... to Irvine in Estill County, Kentucky.

All laws and parts of laws in conflict with this Act are hereby repealed.

By Mr. Hulette:

H. B. 607. An Act creating and establishing as a part of the primary system of highways of the Commonwealth of

Kentucky a road beginning on the Bald Knob Highway at the John Pardi Estate in Franklin County, and thence to the Bryant School House, thence to A. A. Moore, thence to Hubert Keslar and thence to the Bagdad Highway in Shelby County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and there now is established as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning on the Bald Knob Highway at the John Pardi Estate in Franklin County, and thence to the Bryant School House, thence to A. A. Moore, thence to Hubert Keslar and thence to the Bagdad Highway in Shelby County, Kentucky.

§ 2. That the road now established as a part of the primary system of highways of the Commonwealth of Kentucky shall be entitled to all the rights, privileges, benefits and conditions of all laws now in force or which may hereafter be enacted affecting the primary road system.

To Committee on Rules.

A message was received from the Senate announcing that they had passed bills of the following titles:

S. Res. 37. Resolution providing for the purchase of copies of the Legislative Digest adopted at the session of 1912.

S. B. 105. An Act regulating embalming and undertaking.

S. B. 203. An Act relating to the issuance of bonds or other obligations of the county, city, municipality or other taxing districts.

Ordered that said bills be printed and referred to the Committee on Rules.

The Clerk read to the members of the House the following message from His Excellency, The Hon. A. B. Chandler, Governor of Kentucky, viz.:

February 6, 1936.

Memorandum to John Kirtley, Speaker of the House:

This will advise you that I have this day signed House Resolution No. 21, which creates a Legislative commission to investigate and inspect State properties.

I am giving you this information in order that you may make the necessary appointments.

A. B. Chandler,
Governor.

Thereupon the Speaker announced the following as members constituting said Committee as authorized under the provisions of H. Res. 21: Messrs. John McDermott, Elmer McGlothen, Joe E. Robinson, Rodes K. Myers, Chester Silvers, B. F. Shields.

Mr. Hammons offered the following resolution, viz.:

Resolution providing for an investigation of the escape of four desperate convicts from the Frankfort penitentiary last night and causes leading thereto, providing for an investigation of the reasons why no Warden has been named to supervise the institution for more than a month, and providing for the appointment of seven members of this House, four Democrats and three Republicans, for the purpose of making such investigation.

Be it Resolved by the House of Representatives:

Whereas, on last night, or early this morning, four desperate convicts, slugged two guards, stole an automobile from

a Frankfort taxi-driver, and escaped from the Frankfort penitentiary, and

Whereas, it has been reported that pandamonium broke loose at the penitentiary when this escape occurred which precipitated almost a riot of the more than 1,500 convicts incarcerated in the institution, and

Whereas, it has been reported and generally known that the wildest excitement prevailed at the penitentiary doors and inside the institution because of milling crowds of people and the reckless, incompetent and inefficient manner in which the situation was handled, and

Whereas, it is reported that the morale of the inmates in the penitentiary is at a very low ebb due to the convict labor bill now pending in the Legislature, and

Whereas, the escape and running at large of these four desperate convicts is just a fair sample of what the citizens of Kentucky may have to face under provisions of this convict labor bill if permitted to become a law in Kentucky, and

Whereas, it has been reported that a riot and mutiny of the prisoners and convicts is in the offing due to the failure of the executive branch of our state government to name a warden to manage the affairs of the penitentiary. Therefore,

Be it Resolved by this House of Representatives, That a thorough investigation be made of the escape of these four dangerous convicts who are now running at large somewhere in Kentucky, and the causes leading up to their escape, and

Be it Further Resolved, That the Speaker of the House be empowered and directed to name immediately a committee of seven Representatives, four Jeffersonian Democrats and three Lincoln Republicans, who are brave and fearless and under no obligations to anyone in any other branch of our state government for the purpose of investigating the cause of the escape of these four desperate criminals from the penitentiary, and

Be it Further Resolved, That this Committee shall be empowered to summon witnesses, either employees or in

mates of the penitentiary, or other branches of our State government, for the purpose of examining them as to the conditions existing at the penitentiary, and

Be it Still Further Resolved, That a report of their findings be made before the adjournment of this regular session of the Legislature, explaining and giving valid reasons why no warden has ever been named over the penitentiary since the resignation of Warden Deatherage more than a month ago, and of the actual conditions existing at the present time in the penitentiary and the reason and causes why these criminals were permitted to escape.

Mr. Myers moved that said resolution be laid on the table.

Said motion was agreed to.

The yeas and nays being required thereon by Messrs. Hammons and Carter, were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen	Ben Grogan	J. C. Ramey
W. T. Baker	W. L. Hampton, Jr.	Harry C. Records
Douglas Bolling	Clyde S. Howard	Wade H. Riley
Ollie J. Bowen	Ira W. Hulette	Joe E. Robinson
Wallace Brown	Ben W. Johnson	John C. Robinson
Roscoe Claxon	O. C. Jones	A. W. Ross
George S. Clay	R. T. Kirkman	Carl Scheben
J. A. Coleman	J. F. Ladd	Dr. B. F. Shields
Roy Conway	T. B. McConnell	P. L. Sidebottom
Sam Dever	J. L. McDermott	Dr. H. S. Swope
Stanley S. Dickson	Elmer McGlothen	W. R. Tapp
George W. Dunlap	John Marshall	J. J. Thomas
Chas. P. Farnsley	W. E. Mull	S. J. Wagner
T. P. Fitzpatrick	Rodes K. Myers	Joseph L. Wall
James Garnett, Jr.	J. C. Nickell	Henry Ward
Ferd A. Gnau	Mel Petry	W. G. Williams
Eugene Gough	A. W. Pfeiffer	

—50

Those who voted in the negative were—

G. M. Ballard	G. W. Garrett	Russell O'Neill
Reuben J. Boling	Jas. T. Hamilton	Hobart Rayburn
Dr. R. A. Byers	C. L. Hammons	Ray O. Shehan
Jas. C. Carter	Thomas W. Hines	R. Van Bever, Jr.
V. O. Chandler	J. H. Jones	Charles Wylie
Walter R. Fannin	Lloyd MacDonald	
H. Myer Garner	W. H. Miller.	—19

And so said resolution was tabled.

At the instance of the Committee on Rules, the House took up for consideration from the Calendar, bills and resolutions of the following titles, viz.:

S. B. 194. An Act to amend Carroll's Kentucky Statutes, relating to the elimination of double liability of stockholders in banks, trust companies, and combined banks and trust companies.

S. B. 140. An Act to amend Carroll's Kentucky Statutes to increase the surplus of banks, etc.

S. B. 234. An Act to repeal, amend, re-enact Carroll's Kentucky Statutes relating to the organization of loan and investment companies.

S. B. 135. An Act for the protection of Deer and Elk.

S. B. 134. An Act for the protection of Wild Turkey, etc.

S. B. 136. An Act to amend Carroll's Kentucky Statutes relating to divorce by adding thereto certain causes for divorce to the husband.

S. B. 182. An Act providing for local option elections

and prohibiting sale, barter and loan of intoxicating liquors in local option territory.

S. Res. 23. Resolution authorizing the personal representative of Sarah Marks, Gladys Madison and Daisy Carter to sue the Commonwealth.

S. Res. 26. Resolution authorizing the personal representative of Clay Lightfoot, deceased, and Rena Lightfoot to sue the Commonwealth.

S. Res. 28. Resolution authorizing Floyd Mays to sue the Commonwealth.

S. Res. 30. Resolution authorizing B. F. Turner to file suit against the Commonwealth.

S. Res. 38. Resolution authorizing James William May to sue the Commonwealth.

S. B. 95. An Act pertaining to banks, trust companies and combined banks and trust companies, and to amend Carroll's Kentucky Statutes to provide exemption and limitation on the security required by law, etc.

S. B. 154. An Act providing for the removal of the Superintendent of Schools; etc.

H. B. 580. An Act relating to the Primary system of roads and highways.

H. B. 581. An Act relating to the primary system of roads and highways.

H. B. 582. An Act relating to the primary system of roads and highways.

H. B. 583. An Act relating to the primary system of roads and highways.

H. B. 584. An Act relating to the primary system of roads and highways.

H. B. 585. An Act relating to the primary system of roads and highways.

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H. B. 588. An Act relating to the primary system of roads and highways.

H. B. 589. An Act relating to the primary system of roads and highways.

H. B. 590. An Act relating to the primary system of roads and highways.

H. B. 591. An Act relating to the primary system of roads and highways.

H. B. 592. An Act to repeal Carroll's Kentucky Statutes, relating to the exemption of property for revenue and taxation.

H. B. 593. An Act creating the office of stenographer to the County Attorney in counties containing cities of the third class, etc.

H. B. 594. An Act to repeal Chapter 33 of the Acts of 1932 relative to burial associations.

H. B. 595. An Act to amend and re-enact Section 4366t-7 providing for acquisition and condemnation of roads passageways for public purposes.

H. B. 596. An Act amending the Acts of the General Assembly of 1934, relating to independent school districts.

H. B. 597. An Act providing for the employment of additional employees of the Kentucky railroad commission.

H. B. 598. An Act to appropriate more money to the Kentucky Railroad Commission.

Ordered that said bills be read the second time.

The Constitutional provision as to the second reading of said bills at length being dispensed with, said bills were read the second time by their titles only.

Ordered that said bills be placed in the Orders of the Day.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 283. An Act fixing the license fees of operators of non-resident laundries doing business within the State of Kentucky, and providing for the repeal of all laws inconsistent therewith.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That all individuals, associations, partnerships, or corporations who engage in the business of soliciting laundry, linen service, dry cleaning, or any business incident and nec-

essary thereto, without maintaining within the Commonwealth of Kentucky an establishment wherein the washing and ironing and/or laundry of clothes, linen and other washable goods is conducted, shall pay an annual license fee to the Commonwealth of Kentucky for each county in which they do business or solicit laundry, or furnish linen supplies, of the sum of One Hundred ($100.00) Dollars per county; and shall secure the license for each county from the County Court Clerk of such county; and the Auditor of Public Accounts shall prepare proper license certificates and receipts and furnish the county court clerk of the Commonwealth of Kentucky with such blanks in triplicate; one of which shall be delivered to the applicant for the license; one of which shall be retained by the county clerk as a record in said county; and a third to be forwarded to the State Tax Commission, together with the license fee therefor.

The County Court Clerk for his services in issuing said license shall be allowed the fee of One ($1.00) Dollar.

All laws or parts of laws in conflict herewith are hereby repealed.

Mr. McDonald offered the following amendment to said bill, viz.:

Amend H. B. 283, line 8, page 1, by striking out the words and figures "$100" and adding in lieu thereof the words and figures "$50.00".

Said amendment was disagreed to.

Mr. McDermott offered the following amendment to said bill, viz.:

Amend H. B. 283 by adding before the word "that" in line 1, the following words "in all counties which do not have cities of the second class".

Said amendment was agreed to.

Mr. Shehan moved that said bill be laid on the table.

Said motion was disagreed to.

The yeas and nays being required thereon by Messrs Scheben and Shehan, were as follows, viz.:

Those who voted in the affirmative were—

W. T. Baker	Eugene Gough	Harry C. Records
G. M. Ballard	C. L. Hammons	L. K. Rice
Dr. R. A. Byers	Thomas W. Hines	A. W. Ross
Jas. C. Carter	Price Holbrook	Carl Scheben
V. O. Chandler	John M. Hunnicut	Ray O. Shehan
Floyd Clark	O. C. Jones	P. L. Sidebottom
Roscoe Claxon	Robert E. Lee	H. C. Steely
Herbert Cook	J. L. McDermott	Dr. H. S. Swope
Harry Davis	Lloyd MacDonald	R. Van Bever, Jr.
Walter R. Fannin	Elmer McGlothen	S. J. Wagner
T. P. Fitzpatrick	W. H. Miller	Joseph L. Wall
G. W. Garrett	Hobart Rayburn	Henry Ward

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Those who voted in the negative were—

F. T. Allen	Ferd A. Gnau	Russell O'Neill
Henry H. Allen	W. L. Hampton, Jr.	A. W. Pfeiffer
H. T. Baker	Clyde S. Howard	J. C. Ramey
Douglas Bolling	Ira W. Hulette	Wade H. Riley
Ollie J. Bowen	Ben W. Johnson	Joe E. Robinson
Wallace Brown	J. H. Jones	John C. Robinson
George S. Clay	J. F. Ladd	W. T. Rollo
J. A. Coleman	T. B. McConnell	Dr. B. F. Shields
Roy Conway	G. S. Milam	W. R. Tapp
Stanley S. Dickson	John B. Mollett	L. R. Wells
George W. Dunlap	W. E. Mull	W. G. Williams
Chas. P. Farnsley	Tyler Munford	Charles Wylie
H. Myer Garner	Rodes K. Myers	
James Garnett, Jr.	J. C. Nickell	

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Mr. Gnau moved that the vote by which the amendment as offered by Mr. McDermott, was agreed to, be reconsidered.

Said motion was agreed to.

Thereafter such reconsideration, said amendment was disagreed to.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only and rejected.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen	Ira W. Hulette	Wade H. Riley
G. M. Ballard	Ben W. Johnson	Joe E. Robinson
Douglas Bolling	J. F. Ladd	John C. Robinson
Wallace Brown	Robert E. Lee	W. T. Rollo
J. A. Coleman	T. B. McConnell	W. R. Tapp
Roy Conway	G. S. Milam	L. R. Wells
Stanley S. Dickson	John B. Mollett	W. G. Williams
George W. Dunlap	Rodes K. Myers	Charles Wylie
James Garnett, Jr.	Russell O'Neill	
W. L. Hampton, Jr.	J. C. Ramey	—28

Those who voted in the negative were—

Henry H. Allen	Dr. R. A. Byers	Sam Dever
C. W. Anderson, Jr.	Jas. C. Carter	Howard G. Early
H. T. Baker	V. O. Chandler	Walter R. Fannin
W. T. Baker	Floyd Clark	Chas. P. Farnsley
B. F. Bedford	Roscoe Claxon	T. P. Fitzpatrick
Reuben J. Boling	Herbert Cook	H. Myer Garner
Ollie J. Bowen	Harry Davis	G. W. Garrett

Ferd A. Gnau	Elmer McGlothen	Carl Schneider
Eugene Gough	John Marshall	Ray O. Shehan
Jas. T. Hamilton	Duke Mayfield	P. L. Sidebottom
C. L. Hammons	W. H. Miller	Chester D. Silvers
Thomas W. Hines	W. E. Mull	H. C. Steely
Price Holbrook	Tyler Munford	Dr. H. S. Swope
John M. Hunnicut	J. C. Nickell	J. J. Thomas
J. H. Jones	A. W. Pfeiffer	R. Van Bever, Jr.
O. C. Jones	Hobart Rayburn	S. J. Wagner
R. T. Kirkman	Harry C. Records	Joseph L. Wall
J. L. McDermott	L. K. Rice	Henry Ward
Lloyd MacDonald	Carl Scheben	—56

Mr. Myers moved that the vote by which said bill was rejected, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The hour of eleven o'clock A. M. having arrived, that being the hour for the Special Orders of the Day, to wit: bills entitled:

S. B. 37. An Act appropriating $75.00 per month for the benefit of the widow and children of Robert Rowland.

S. B. 38. An Act appropriating $75.00 per month for the benefit of the widow and children of Powell Hayes.

Mr. Wells moved that the consideration of said bills be postponed and that they retain their place in the Orders of the Day.

Said motion was agreed to.

At the hour of eleven o'clock, that being the hour for the Special Orders of the Day, to wit: a bill entitled:

H. B. 561. An Act to amend Section 256 of the Constitution of the Commonwealth of Kentucky prescribing the mode of amendment of said Constitution.

Dr. Shields moved that said bill be made a Special Order of the Day, for two-thirty o'clock P. M. on today.

Said motion was agreed to.

Dr. Shields moved that the House do now recess until one-thirty o'clock P. M.

Said motion was agreed to.

And then the House recessed.

AFTERNOON SESSION

The hour of one-thirty P. M. having arrived, the Speaker resumed the Chair and called the House to order.

Mr. Wall moved that the privilege of the floor be extended to Messrs. Lawrence Cooper and Strow of Benton, Kentucky.

Said motion was agreed to.

Mr. Gnau moved that the privilege of the floor be extended to Judge Luther Roberts and Mr. M. J. Miller.

Said motion was agreed to.

Mr. Reuben Boling moved that the privilege of the floor be extended to Messrs. Silas Miller and Robert Miller.

Said motion was agreed to.

Mr. Milam moved that the privilege of the floor be extended to Messrs. G. M. Beasley and M. C. McDowell.

Said motion was agreed to.

Mr. Claxon moved that the privilege of the floor be extended to Messrs. Tom Swope, John Swope, Forrest Lucas, John Parks.

Said motion was agreed to.

Mr. Carter moved that the privilege of the floor be extended to Mr. Frank Spillman and Mrs. Loriane Spillman.

Said motion was agreed to.

Mr. McConnell moved that the privilege of the floor be extended to Messrs. Coleman and Wadlington of Caldwell County.

Said motion was agreed to.

At the instance of the Committee on Rules, the following bills were introduced, ordered printed and referred as follows, viz.:

By Mr. Baker:

H. B. 608. An Act establishing as part of the system of State highways certain roads in Adair County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State highways of the Commonwealth of

Kentucky all roads, or parts of roads in Adair County that are of record as established mail routes, or which may later be designed as regular mail routes, upon certification of such roads to the State Highway Commission by the Fiscal Court of Adair County.

§ 2. That the construction, maintenance, supervision and control of said roads shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920, and all other laws pertaining thereto establishing and creating the primary system of State highways, to the same effect as if said roads had been named in the original Act as of the projects of the primary system of State highways as provided therein.

By same:

H. B. 609. An Act establishing as part of the system of State highways a road known as the Milltown-Gradyville road in Adair County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby establihsed as a part of the primary system of State highways of the Commonwealth of Kentucky a road in Adair County known as the Milltown-Gradyville road, said road starting at its present junction with the Columbia-Greensburg road and continuing along its present established route to Gradyville and its junction at or near that point with the Columbia-Edmonton road.

§ 2. That the construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920, and all other laws pertaining thereto, establishing and creating the primary system of State highways, to the same effect as if said road had been named in the original

Act as one of the projects of the primary system of State highways as provided therein.

By Mr. Carter:

H. B. 610. An Act establishing as part of the system of State highways certain roads in Monroe County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State highways of the Commonwealth of Kentucky all roads, or parts of roads in Monroe County that are of record as established mail routes, or which may later be designated as regular mail routes, upon certification of such roads to the State Highway Commission by the Fiscal Court of Monroe County.

§ 2. That the construction, maintenance, supervision and control of said roads shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920, and all other laws pertaining thereto establishing and creating the primary system of State highways, to the same effect as if said roads had been named in the original Act as of the projects of the primary system of State highways as provided therein.

By same:

H. B. 611. An Act establishing as part of the system of State highways certain roads in Metcalfe County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the

primary system of State highways of the Commonwealth of Kentucky all roads, or parts of roads in Metcalfe County that are of record as established mail routes, or which may later be designated as regular mail routes, upon certification of such roads to the State Highway Commission by the Fiscal Court of Metcalfe County.

§ 2. That the construction, maintenance, supervision and control of said roads shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920, and all other laws pertaining thereto establishing and creating the primary system of State highways, to the same effect as if said roads had been named in the original Act as of the projects of the primary system of State highways as provided therein.

By Mr. Thomas:

H. B. 612. An Act to authorize the payment of a bonus of $10 a month to each World War Veteran in Kentucky, based upon the length of service rendered to the country, and appropriating funds therefor.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That the Commonwealth of Kentucky, in grateful homage to the defenders of the country during the late World War does hereby appropriate to each Kentuckian, now living, who served in the World War a bonus of $10 a month for each month of service rendered during the war.

That the Military Department of the Commonwealth of Kentucky is hereby instructed and directed to procure from the War Department the names and addresses of such persons as are eligible to receive such aid, and make a computation of the amount due each person.

When such amounts have been determined the head of the Militiary Department shall certify to the Auditor of Public Accounts for payment all such claims.

Such sums as are needed to carry out the provisions of this Act, to be determined after a study by the Military Department, are hereby appropriated out of the funds not heretofore appropriated.

To Committee on Rules.

At the hour of two o'clock P. M. the House took up for consideration from the Orders of the Day, the Special Order of the Day, to wit: a bill entitled:

H. B. 573. An Act amending the Constitution of the Commowealth of Kentucky, relating to the reorganization of county and state government into single county-wide governmental units, or into a single county-wide group of interrelating and inter-dependent units.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That upon the concurrence of three-fifths of all members elected to each House of the General Assembly of the Commonwealth of Kentucky, the ayes and nays being taken thereon and entered in full in their respective journals, that there be and is hereby adopted an amendment to the Constitution of the Commonwealth of Kentucky, which shall read as follows:

By uniform laws—of application either State-wide, or according to a classification based on population—the General Assembly is empowered to reorganize county and city governments into single county-wide governmental units or into a single county-wide group of inter-related and interdependent units. To this end the General Assembly is em-

powered to enact legislation authorizing uniform laws, according to classification based on population, whereby the city and county governments may be consolidated with all the governmental powers necessary for such units to function, including the power to abolish, change and create offices, courts of special jurisdiction, and other governmental agencies. The unitary governments shall be representative in from; and no elected officer shall hold office for a term exceeding six years; no appointive officer, unless under civil service, or like merit system, shall hold office for a longer term than the elected officer responsible for his appointment. The tax and debt provisions of this Constitution shall apply to the single unit, to the group and to the inter-dependent units. The constitutional jurisdiction of the courts shall remain unchanged except: (1) In abolishing the County Court, the Legislature may transfer its jurisdiction into a newly created branch of the Circuit Court (probate and administration), and may also transfer to that branch jurisdiction in all matters affecting domestic relations and juvenile welfare; (2) Municipal courts may set up with criminal jurisdiction equal to that of the police court of a first-class municipality, and civil jurisdiction equal to that of a magistrate or justice of the peace.

§ 2. This amendment shall be published and submitted to the voters of the State for their ratification or rejection at the time and in the manner provided under Sections 256 and 257 of the Constitution of the Commonwealth of Kentucky and under Section 1459 of Baldwin's Revised Edition of Carroll's Kentucky Statutes of 1930, official edition.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen	Ben Grogan	A. W. Pfeiffer
Henry H. Allen	W. L. Hampton, Jr.	J. C. Ramey
C. W. Anderson, Jr.	Price Holbrook	Harry C. Records
H. T. Baker	Clyde S. Howard	L. K. Rice
W. T. Baker	Ira W. Hulette	Wade H. Riley
B. F. Bedford	John M. Hunnicut	Joe E. Robinson
Ollie J. Bowen	Ben W. Johnson	John C. Robinson
Wallace Brown	O. C. Jones	W. T. Rollo
Floyd Clark	R. T. Kirkman	A. W. Ross
Roscoe Claxon	J. F. Ladd	Carl Scheben
George S. Clay	M. T. McCarthy	Carl Schneider
Roy Conway	T. B. McConnell	Dr. B. F. Shields
Herbert Cook	J. L. McDermott	P. L. Sidebottom
Sam Dever	W. F. McGary	H. C. Steely
Stanley S. Dickson	Elmer McGlothen	W. R. Tapp
George W. Dunlap	John Marshall	J. J. Thomas
Howard G. Early	Duke Mayfield	S. J. Wagner
Walter R. Fannin	G. S. Milam	Joseph L. Wall
Chas. P. Farnsley	W. E. Mull	Henry Ward
T. P. Fitzpatrick	Tyler Munford	L. R. Wells
James Garnett, Jr.	Rodes K. Myers	W. G. Williams
Ferd A. Gnau	J. C. Nickell	Charles Wylie
Eugene Gough	Mel Petry	—68

Those who voted in the negative were—

G. M. Ballard	Jas. T. Hamilton	Russell O'Neill
Reuben J. Boling	C. L. Hammons	Hobart Rayburn
Dr. R. A. Byers	Thomas W. Hines	Ray O. Shehan
Jas. C. Carter	J. H. Jones	Chester D. Silvers
J. A. Coleman	Robert E. Lee	Bruce Sloan
Harry Davis	Lloyd MacDonald	Dr. H. S. Swope
H. Myer Garner	W. H. Miller	R. Van Bever, Jr.
G. W. Garrett	John B. Mollett	—23

Resolved that the title thereof be as aforesaid.

Mr. Gnau moved that said bill be known as the "Garnett-Mayer Act".

Said motion was agreed to.

Mr. Gnau moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 561. An Act to amend Section 256 of the Constitution of the Commonwealth of Kentucky, prescribing the mode of amendment of said Constitution.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That upon the concurrence of three-fifths of all members elected to each House, the yeas and nays being taken thereon and entered in full in their respective journals, Section 256 of the Constitution be and it is amended and revised so that said Section shall read as follows:

Section 256. Amendments to this Constitution may be proposed in either house of the General Assembly at a regular or special session thereof, and if such amendment or amendments shall be agreed to by three-fifths of all the members elected to each house, such proposed amendment or amendments, with the yeas and nays of the members of each house taken thereon, shall be entered in full in their respective journals. Such proposed amendment or amendments shall then be submitted to the voters of the State, for their ratification or rejection, on a separate ballot, without party

designation of any kind, but under the heading, "CONSTITUTIONAL AMENDMENTS", printed in bold face type, at either a special or general election, as the General Assembly may prescribe, the vote to be taken thereon and to be certified by the officers of election to the Secretary of State in such manner as shall be provided by law, which vote shall be canvassed or compared and certified by the same board authorized by law to compare the polls and give the certificates of election to officers for the State at Large. If it shall appear that a majority of the votes cast for and against the amendment at said election was for the amendment, then the same shall become a part of the Constitution of this Commonwealth, and shall be so forthwith proclaimed by the Governor, and published in such manner as the General Assembly may direct.

None of said proposed amendments shall be submitted at an election which occurs less than ninety (90) days from the final passage of each proposed amendment or amendments. Said amendments shall be so submitted as to allow a separate vote on each, and no amendment shall relate to more than one subject. The approval of the Governor shall not be necessary to any bill, order, resolution or vote of the General Assembly, proposing an amendment or amendments to this Constitution.

§ 2. The foregoing proposed amendment to the Constitution, relating to the mode of amendment of said Constitution and dealing with that one subject alone, shall be submitted to the voters of this State for their ratification or rejection, at the next general election for members of the House of Representatives of this Commonwealth in accordance with the provisions of Section 256 of the Constitution of Kentucky and at the time and in the manner provided for under said Section of the Constitution and the statutes enacted pursuant thereto to effectuate the same.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen	W. L. Hampton, Jr.	Mel Petry
Henry H. Allen	Price Holbrook	A. W. Pfeiffer
W. T. Baker	Clyde S. Howard	J. C. Ramey
B. F. Bedford	Ira W. Hulette	Harry C. Records
Ollie J. Bowen	John M. Hunnicut	L. K. Rice
Wallace Brown	Ben W. Johnson	Wade H. Riley
Floyd Clark	O. C. Jones	Joe E. Robinson
Roscoe Claxon	R. T. Kirkman	John C. Robinson
George S. Clay	J. F. Ladd	W. T. Rollo
Roy Conway	M. T. McCarthy	A. W. Ross
Herbert Cook	T. B. McConnell	Carl Scheben
Sam Dever	J. L. McDermott	Carl Schneider
Stanley S. Dickson	W. F. McGary	Dr. B. F. Shields
George W. Dunlap	Elmer McGlothen	P. L. Sidebottom
Howard G. Early	John Marshall	W. R. Tapp
Chas. P. Farnsley	Duke Mayfield	J. J. Thomas
T. P. Fitzpatrick	G. S. Milam	S. J. Wagner
James Garnett, Jr.	W. E. Mull	Joseph L. Wall
Ferd A. Gnau	Tyler Munford	Henry Ward
Eugene Gough	Rodes K. Myers	L. R. Wells
Ben Grogan	J. C. Nickell	W. G. Williams

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Those who voted in the negative were—

C. W. Anderson, Jr.	Jas. C. Carter	G. W. Garrett
H. T. Baker	J. A. Coleman	Jas. T. Hamilton
G. M. Ballard	Harry Davis	C. L. Hammons
Reuben J. Boling	Walter R. Fannin	Thomas W. Hines
Dr. R. A. Byers	H. Myer Garner	J. H. Jones

Robert E. Lee	Hobart Rayburn	Dr. H. S. Swope
Lloyd MacDonald	Ray O. Shehan	R. Van Bever, Jr.
W. H. Miller	Chester D. Silvers	Charles Wylie
John B. Mollett	Bruce Sloan	
Russell O'Neill	H. C. Steely	—28

Resolved that the title thereof be as aforesaid.

Mr. McDermott moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 41. An Act providing for the appointment of an Ohio River Pollution Commission and detailing its functions and appropriating funds for its purposes.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the Governor shall appoint a commission consisting of five persons residing in counties bordering the Ohio River and the said commission shall elect a Chairman.

§ 2. This commission shall be known as the Ohio River Pollution Commission and the chairman shall arrange meetings for the commission with representatives from adjoining states, the Federal Government and others and the commission shall make or cause to be made such studies, surveys and investigations as will enable the commission to present pertinent facts and data to the next session of the General Assembly as will enable that body to consider legislation for the elimination of the present pollution of the Ohio River.

§ 3. That the sum of five thousand dollars shall be appropriated from the general fund of the Commonwealth and these funds shall be used in the discretion of the Commission for the purposes intended in this Act, but shall not be used for salaries for members of the Commission who shall serve without compensation.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Walter R. Fannin	J. L. McDermott
C. W. Anderson, Jr.	T. P. Fitzpatrick	W. F. McGary
H. T. Baker	H. Myer Garner	Elmer McGlothen
W. T. Baker	G. W. Garrett	John Marshall
G. M. Ballard	Ferd A. Gnau	Duke Mayfield
B. F. Bedford	Eugene Gough	G. S. Milam
Reuben J. Boling	Ben Grogan	W. H. Miller
Ollie J. Bowen	C. L. Hammons	John B. Mollett
Wallace Brown	W. L. Hampton, Jr.	J. C. Nickell
Dr. R. A. Byers	Thomas W. Hines	Russell O'Neill
Jas. C. Carter	Price Holbrook	Mel Petry
Roscoe Claxon	Clyde S. Howard	A. W. Pfeiffer
George S. Clay	Ira W. Hulette	Hobart Rayburn
J. A. Coleman	John M. Hunnicut	Harry C. Records
Roy Conway	Ben W. Johnson	L. K. Rice
Herbert Cook	O. C. Jones	W. T. Rollo
Harry Davis	R. T. Kirkman	A. W. Ross
Sam Dever	J. F. Ladd	Carl Scheben
Stanley S. Dickson	M. T. McCarthy	Carl Schneider
George W. Dunlap	T. B. McConnell	Ray O. Shehan

Dr. B. F. Shields	W. R. Tapp	Henry Ward
Bruce Sloan	J. J. Thomas	W. G. Williams
H. C. Steely	R. Van Bever, Jr.	Charles Wylie
Dr. H. S. Swope	S. J. Wagner	—71

Those who voted in the negative were—

F. T. Allen	W. E. Mull	Chester D. Silvers
James Garnett, Jr.	J. C. Ramey	Joseph L. Wall
Jas. T. Hamilton	Wade H. Riley	L. R. Wells
J. H. Jones	Joe E. Robinson	
Lloyd MacDonald	John C. Robinson	—13

Resolved that the title thereof be as aforesaid.

Mr. McDermott moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 37. An Act appropriating the sum of Seventy-Five ($75.00) Dollars per month for the use of the widow and children of Robert Rowland deceased.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Whereas, on the 21st day of December, 1935, Robert Rowland while serving as a State Patrolman and in the discharge of his duty, attempted to arrest two men suspected of having violated the laws of this Commonwealth and the Federal Government, in the City of Franklin, Simpson County, Kentucky, was shot by said suspects, from which

gunshot wound he died on the 22d day of December, and whereas, he left surviving him a widow and two infant children, leaving said widow and children in destitute circumstances.

§ 2. It is hereby appropriated out of the General Expenditure Fund for the use and benefit of the widow of Robert Rowland, deceased (Mrs. Hollis Rowland), and children of said decedent the sum of Seventy-Five ($75.00) Dollars per month.

§ 3. The funds above appropriated should be paid monthly by the State Treasurer to a Trustee appointed by the County Court of Simpson County, and shall be disbursed by said Trustee under the order and direction of said Court as may best serve the interest of said widow and children of the said Robert Rowland, deceased.

§ 4. Whereas, said widow and children are in destitute circumstances, and have absolutely no funds with which to obtain food and clothing, and whereas said children are too young to obtain gainful employment, now thereby an emergency is declared to exist, and this action become a law upon its passage and approval by the Governor.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen	G. M. Ballard	Wallace Brown
Henry H. Allen	B. F. Bedford	Dr. R. A. Byers
H. T. Baker	Reuben J. Boling	Jas. C. Carter
W. T. Baker	Ollie J. Bowen	Floyd Clark

Roscoe Claxon	J. H. Jones	Harry C. Records
George S. Clay	O. C. Jones	L. K. Rice
J. A. Coleman	R. T. Kirkman	Wade H. Riley
Roy Conway	J. F. Ladd	Joe E. Robinson
Herbert Cook	Robert E. Lee	John C. Robinson
Sam Dever	T. B. McConnell	W. T. Rollo
Stanley S. Dickson	J. L. McDermott	A. W. Ross
George W. Dunlap	Lloyd MacDonald	Carl Scheben
T. P. Fitzpatrick	W. F. McGary	Carl Schneider
H. Myer Garner	Elmer McGlothen	Ray O. Shehan
James Garnett, Jr.	John Marshall	Dr. B. F. Shields
G. W. Garrett	Duke Mayfield	Chester D. Silvers
Ferd A. Gnau	G. S. Milam	Bruce Sloan
Eugene Gough	W. H. Miller	H. C. Steely
Ben Grogan	W. E. Mull	Dr. H. S. Swope
C. L. Hammons	Tyler Munford	W. R. Tapp
W. L. Hampton, Jr.	Rodes K. Myers	J. J. Thomas
Thomas W. Hines	J. C. Nickell	S. J. Wagner
Price Holbrook	Russell O'Neill	Henry Ward
Clyde S. Howard	Mel Petry	L. R. Wells
Ira W. Hulette	A. W. Pfeiffer	W. G. Williams
John M. Hunnicut	J. C. Ramey	
Ben W. Johnson	Hobart Rayburn	—79

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 38. An Act appropriating the sum of seventy-five ($75.00) dollars per month for the use of the widow and children of Powell Hayes, deceased.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Whereas, on the 21st day of December, 1935, Pow ell Hayes while serving as a State Patrolman in the discharge of his duty, attempted to arrest two men suspected of having violated the laws of this Commonwealth and the Federal government, in the city of Franklin, Simpson County, Kentucky, was shot by said suspects, from which gunshot wound he died on the 21st day of December, and whereas, he left surviving him a widow and three infant children, leaving said widow and children in destitute circumstances.

§ 2. It is hereby appropriated out of the general expenditure fund for the use and benefit of the widow of Powell Hayes, deceased (Mrs. Nell Hayes), and children of said decedent the sum of seventy-five ($75.00) dollars per month.

§ 3. The funds above appropriated should be paid monthly by the State Treasurer to a trustee appointed by the county court of Warren County, and shall be disbursed by said trustee under the order and direction of said court as may best serve the interest of said widow and children of the said Powell Hayes, deceased.

§ 4. Whereas, said widow and children are in destitute circumstances, and have absolutely no funds with which to obtain food and clothing, and whereas said children are too young to obtain gainful employment, now thereby an emergency is declared to exist, and this action become a law upon its passage and approval by the Governor.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen	C. L. Hammons	Mel Petry
Henry H. Allen	W. L. Hampton, Jr.	A. W. Pfeiffer
H. T. Baker	Thomas W. Hines	J. C. Ramey
W. T. Baker	Price Holbrook	Hobart Rayburn
G. M. Ballard	Clyde S. Howard	Harry C. Records
B. F. Bedford	Ira W. Hulette	L. K. Rice
Reuben J. Boling	John M. Hunnicut	Wade H. Riley
Ollie J. Bowen	Ben W. Johnson	Joe E. Robinson
Wallace Brown	J. H. Jones	John C. Robinson
Dr. R. A. Byers	O. C. Jones	W. T. Rollo
Jas. C. Carter	R. T. Kirkman	A. W. Ross
Floyd Clark	J. F. Ladd	Carl Scheben
Roscoe Claxon	Robert E. Lee	Carl Schneider
George S. Clay	T. B. McConnell	Ray O. Shehan
J. A. Coleman	J. L. McDermott	Dr. B. F. Shields
Roy Conway	Lloyd MacDonald	Chester D. Silvers
Herbert Cook	W. F. McGary	Bruce Sloan
Sam Dever	Elmer McGlothen	H. C. Steely
Stanley S. Dickson	John Marshall	Dr. H. S. Swope
George W. Dunlap	Duke Mayfield	W. R. Tapp
T. P. Fitzpatrick	G. S. Milam	J. J. Thomas
H. Myer Garner	W. H. Miller	S. J. Wagner
James Garnett, Jr.	W. E. Mull	Henry Ward
G. W. Garrett	Tyler Munford	L. R. Wells
Ferd A. Gnau	Rodes K. Myers	W. G. Williams
Eugene Gough	J. C. Nickell	
Ben Grogan	Russell O'Neill	—79

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the hour of three o'clock P. M. the House took up for consideration from the Orders of the Day, the Special Order of the Day, to wit: a bill entitled:

H. H. 351. An Act relating to revenue and taxation and imposing an excise or license tax on gasoline and all other liquid fuels, including all liquids ordinarily, practically and commercially usable in internal combustion engines for the generation of power, and all distillates of and condensates from petroleum, natural gas, coal tar, vegetable ferments, and from all other products so usable and sold in this Commonwealth at wholesale, as the words "at wholesale" are defined in this act, except kerosene, fuel oil, diesel oil and crude oil sold and used for purposes other than for the propulsion of licensed motor vehicles; providing for the collection of such tax, for the keeping of records, reporting of sales, defining the duties of the State Tax Commission, and requiring reports to be made to the State Tax Commission by railroads and other persons, firms or corporations showing the transportation and delivery of gasoline; exempting gasoline from local excise and license taxes; providing for the distribution and use of the revenue derived therefrom, the administration of said law, fixing fines and penalties for the violation of this act; and repealing Chapter 150 of the Acts of the General Assembly of 1932.

With a Committee amendment thereto.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the word "gasoline" as used in this act shall include all liquid fuels, including liquids ordinarily, practically and commercially usable in internal combustion engines for the generation of power, and all distillates of, and condensates from petroleum, natural gas, coal, coal tar, vegetable ferments, and all other products, so usable and sold in this

Commonwealth at wholesale, as the words "at wholesale" are defined herein, except kerosene, fuel oil, diesel fuel and crude oil sold and used for purposes other than for the propulsion of licensed motor vehicles. A State tax of four (4) cents per gallon is hereby imposed on all gasoline, as defined herein, sold in this Commonwealth at wholesale, as the words "at wholesale" are hereinafter defined. No other excise or license tax shall be levied or assessed on gasoline by the State or and county, city, town or other district. The tax hereby provided for shall be paid by the person, firm, association, or corporation so selling gasoline, and shall be paid by said person, firm, association or corporation into the General Fund of the State Treasury in the manner and within the time hereinafter specified. The words "at wholesale", as used by this act shall be held and construed to mean and include any and all sales made for the purpose of resale or distribution, or for use, and, as well, the gasoline furnished or supplied for distribution within this State whether the distributor be the same person who so furnished the same, his agent or employee, or another person; and also to mean and include any person who shall purchase or obtain gasoline without the State and sell or distribute or use the same within the State, except that owners and operators of motor vehicles may purchase or obtain gasoline without the State and use such gasoline within the State in a maximum quantity of thirty gallons carried in the regular standard fuel tanks of such motor vehicles without being required to report and pay tax on such gasoline. Provided that nothing herein contained shall be construed as authorizing or requiring the collection of such tax upon any gasoline after the same shall have been already once taxed under the provisions of this act, and the words "at wholesale" shall not apply to any gasoline which has been so taxed.

§ 2. All taxes collected under the provisions of this act shall be paid into the State Treasury, and shall be used only

for the purpose of the construction, reconstruction, maintenance, and repair of roads, highways, and bridges.

§ 3. Every person, or the treasurer or other proper officer or agent of every association, co-partnership or corporation selling gasoline at wholesale, as defined herein, shall keep and preserve for a period of two (2) years, an accurate record of all such sales distribution, receipts, and uses of gasoline, together with invoices, bills of lading, and other pertinent records and papers as may be required by the State Tax Commission; and shall on or before the last day of each month transmit to the State Tax Commission a statement, under oath or affirmation, on such forms as the State Tax Commission may prescribe, of the total number of gallons of gasoline sold, distributed or used in each county of the State from their respective place or places of business, so registered under the provisions of Section Thirteen (13) hereof, during the preceding calendar month, which gallons are made taxable by this act, and shall accompany said report by a certified or cashier's check, payable to the State Treasurer of Kentucky, for the amount of tax due for such preceding calendar month. It shall be the duty of every person, purchasing gasoline taxable under this act from an "at wholesale" dealer for the purpose of resale, to maintain and keep for a period of one (1) year a record of gasoline received, the amount of tax paid to the dealer as part of the purchase price, together with delivery tickets, invoices, bills of lading and such other records as the State Tax Commission shall require.

§ 4. Every person, association, co-partnership, or corporation, operating a refinery for the production of gasoline within the State of Kentucky, and selling gasoline for delivery to points within the State of Kentucky, shall collect and pay to the State Treasurer all taxes assessed under this act, on such gasoline, except on carloads of gasoline sold to licensed "at wholesale" dealers on which gasoline the purchasing "at wholesale" dealers shall report and pay the tax.

The State Tax Commission in computing the amount of tax due under this act, shall make an allowance of one per cent for leakage, evaporation, bad debts and collection costs.

§ 5. Every person, association, co-partnership or corporation, operating a refinery in this State, shall keep and preserve an accurate record of all such sales, distribution, manufacture, and uses of gasoline within the State of Kentucky, and all shipments of gasoline to points outside the State, and shall, not later than the tenth day of the month, make a report to the State Tax Commission, of all gasoline shipped to points in the State, and all shipments of gasoline to points outside the State, during the preceding calendar month, giving the date of shipment, car number and initial, net gallons, and the name of the person, firm, or corporation to whom shipped.

§ 6. If any person, association, co-partnership or corporation shall purchase gasoline outside the State of Kentucky, or from a Kentucky refiner as provided in Section 4 of this Act, or from a licensed "at wholesale" dealer without paying the tax to the seller, for sale within the State of Kentucky, such purchaser shall, on or before the last day of each month in which such gasoline is received, transmit to the State Tax Commission a statement, under oath or affirmation, on such forms as the State Tax Commission may prescribe, of the total number of gallons of gasoline so purchased and received for sale in Kentucky, during the month next preceding, and shall accompany said report by a certified or cashier's check, payable to the State Treasurer of Kentucky, for the amount of tax due on such gasoline received, except on such gasoline as is sold to another licensed "at wholesale" dealer in the State of Kentucky without collecting the tax, in which event the purchasing "at wholesale" dealer shall be responsible to the State for the tax on such gasoline and the selling "at wholesale" dealer may make such sale without collecting the tax; provided that the State Tax Commission in computing the amount of such tax shall make an allowance

of one per cent for leakage, evaporation, bad debts, collection costs, handling and reporting the tax. Provided that such allowance shall be made only on gasoline purchased in carload quantities. It shall be the duty of the State Tax Commission to publish and keep currently up to date a list of licensed "at wholesale" dealers and transmit such list and its revisions to all licensed "at wholesale" dealers.

§ 7. Every railroad or other transportation company and every other person, firm, association, partnership or corporation transporting gasoline as defined in Section 1 of this act by whatsoever manner from without the State to points within this State, or between points within the State, shall report to the State Tax Commission, on forms prescribed by the Commission, showing the name and address of each person, firm, or corporation to whom deliveries of gasoline have been made, the name and address of the original consignee, if deliveries are made to any other than the original consignee, the name and address of the consignor, the point of origin, the point of delivery, the date of delivery, the number and initials of each car, if shipped by rail, the quantity of each shipment and delivery in gallons, the manner of shipment and delivery, and such other information as the State Tax Commission may require relative to the transportation and delivery of such gasoline. Such reports are to include intra-city switching movements of gasoline in tank cars or otherwise. Such reports shall be made under oath and shall be filed on or before the last day of each month covering all such deliveries made within this State during the preceding calendar month.

§ 8. The State Tax Commission of the State of Kentucky, shall upon request duly received from the officials to whom are entrusted the enforcement of the gasoline tax laws of any other State, forward to such officials any information which it may have in its possession relative to the manufacture, receipt, sale, use, transportation and/or shipment by any person of gasoline.

§ 9. By virtue of the allowance provided herein to "at wholesale" dealers for collecting the tax and remitting the same to the State Tax Commission, every "at wholesale" dealer is a trust officer of the State, and failure to remit gasoline tax to the State as provided herein constitutes embezzlement of State funds, and upon conviction under this section any individual, partner, or officer, or agent of any association, partnership or corporation shall be guilty of a misdemeanor and shall be fined not exceeding one thousand dollars ($1,000) or imprisoned in the county jail not exceeding six months, or both so fined and imprisoned, and upon conviction on a second offense under this section, shall be guilty of a felony and shall be imprisoned for not less than one year or more than five years in the State prison.

§ 10. If any such person, association, co-partnership or corporation neglects or refuses to make said return, or pay the tax at the time hereinbefore provided, the amount thereof, with an addition of a penalty of twenty per centum thereof, with interest at the rate of six per cent per annum from the date when due until paid, shall be paid on an account settled by the State Tax Commission, as other taxes are paid, settled and collected; and, if collected by proceedings in any court, an additional penalty of twenty per centum shall be collected as is authorized to be collected in revenue agent proceedings under Section 4263-4 of the Kentucky Statutes.

The said twenty per centum penalty thereon and interest due shall be paid into the State Treasury as part of the tax, and the twenty per centum penalty collected in revenue agents' proceedings shall be distributed as provided in Section 4263-4 of the Kentucky Statutes.

§ 11. The State Tax Commission, or any assistant or representative thereof, appointed in writing by it, is hereby authorized to examine the books, records, papers, files and equipment of any person, association, co-partnership or corporation pertaining to the business made taxable by this act, and to that end, shall have the power to examine witnesses

under oath to verify the accuracy of any return made under the provision of this act, or to ascertain whether or not any tax is due by any person, association, co-partnership or corporation under the provisions of this act, and in the collection of said tax, the State Tax Commission shall have the power to institute legal proceedings for the purpose of ascertaining the amount of tax due and the collection thereof with the penalties thereon, and the State Tax Commission shall be vested with all the powers under the law of the State for the collection of taxes. The State Tax Commission may, at or after the commencement of an action for the purpose of collecting the amount of tax due and penalties and interest due thereon as set out herein have an attachment against the property of the defendant, including garnishees, without the execution of a bond upon the filing of an affidavit showing the nature of the claim, that it is just, the sum which the State Tax Commission believes the plaintiff ought to recover and that the collection of the demand will be endangered by delay in obtaining judgment or a return of no property found. Any information gained by the State Tax Commission, or any assistant, agent or representative thereof, as a result of the reports, investigations or verifications herein required to be made, shall be confidential, and any person divulging such information shall be guilty of a misdemeanor, and, upon conviction, shall be fined not exceeding Five Hundred Dollars ($500); provided, however, that this prohibition shall not extend to information required in prosecutions for making false reports or returns or in the preparation and prosecution of legal proceedings for the election of any tax due under the provision of this act, or any prosecutions for any other infraction of the tax laws of this State. If any witness shall fail or refuse to appear at the request of the State Tax Commission, or refuse access to any books, records, files, papers, or equipment, the State Tax Commission shall certify such fact and the name of the witness, or witnesses, so failing and refusing to appear, or refusing access to any books, records,

papers, files or equipment to the circuit court of the county having jurisdiction of the matter, and said court shall thereupon issue a summons for the said party to appear at a place designated within the jurisdiction of the court on a day fixed, and give such evidence and open for inspection such books, records, files and papers as may be required for the purpose of ascertaining whether or not any return so made is true and correct, or whether or not any person, association, co-partnership or corporation has failed or refused to make a true and correct return under the provisions of this law; and the circuit court shall have in any such proceeding all the power of a court of equity in punishing for contempt. In order that the State Tax Commission may have additional means of checking up the accuracy of the reports made, and determining the amount of tax due by any person, association, co-partnership or corporation, the records, books, and other documents of common carriers, relative to the transportation of gasoline, are hereby declared to be accessible to the State Tax Commission.

§ 12. Any person, association, co-partnership or corporation, or any officer, director, trustee, or member of any association, co-partnership or corporation, who shall fail, neglect or refuse to make the returns and pay the tax herein prescribed, or shall refuse to permit the State Tax Commission, its assistants, agents or representatives appointed by it in writing, to examine the books, records, papers, files and equipment of such person, association, co-partnership or corporation pertaining to the business made taxable by this act, or who makes an incomplete, false or fraudulent return hereunder, or who does or attempts to do, anything whatever to avoid a full disclosure of the amount of business done or to avoid the payment of the whole or any part of the tax or penalties due, or who shall fail to preserve records of gasoline manufactured, received, used, sold or delivered, as provided in this act, shall be guilty of a misdemeanor, and upon conviction, shall be fined not exceeding One Thousand Dollars

($1,000.00), and in the case the offender is an individual, he may be imprisoned in the county jail not exceeding six months, or both so fined and imprisoned. Such penalty shall be in addition to the penalty imposed hereinbefore in Section 10 of this act.

§ 13. On and after 30 days after this act shall go into effect, it shall be unlawful for any "at wholesale" dealer to receive, use, sell or distribute any gasoline or to engage in the sale of gasoline within this State unless such dealer is the holder of an uncanceled license issued by the State Tax Commission to engage in such business. To procure such license every dealer shall file with the State Tax Commission an application under oath or affirmation and in such form as the State Tax Commission may prescribe, setting forth:

(a) The name under which the dealer will transact business within the State of Kentucky;

(b) The location, with street number address, of its principal office or place of business within this State; and if such dealer has more than one place of business within the State, the locations of each place of business;

(c) The name and complete residence address of the owner, or the names and addresses of the partners, if such dealer is a partnership, or the names and addresses of the principal officers, if such dealer is a corporation or association; and if such dealer is a corporation organized under the laws of another State, territory, or country, it shall also file with such application a certified copy of the certificate or license issued by the Secretary of State of Kentucky showing that such corporation is authorized to transact business in the State of Kentucky. Upon the filing of an application for a license, and concurrently therewith, a bond of the character stipulated and in the amount provided for in Section 14 of this act, shall be filed with the State Tax Commission. No license shall be issued upon any application unless accompanied by such a bond. In the event that any application for a license certificate to transact business as a dealer in the

State of Kentucky shall be filed by any person whose license shall at any time heretofore have been canceled for cause by the State Tax Commission, or in case said State Tax Commission shall be of the opinion that such application is not filed in good faith, or that such application is filed by some person as a subterfuge for the real person in interest whose license or registration shall theretofore have been canceled for cause by said State Tax Commission, then and in any of said events the State Tax Commission, after a hearing, of which the applicant shall have been given five (5) days' notice in writing and in which said applicant shall have the right to appear in person or by counsel and present testimony, shall have and is hereby given the right and authority to refuse to issue to such person a license certificate to transact business as a dealer in the State of Kentucky. The application in proper form having been accepted for filing, and the bond having been accepted and approved, the State Tax Commission shall issue to such dealer a license certificate to transact business as a dealer in the State of Kentucky, subject to cancellation of such license as provided by law. The license certificate so issued by the State Tax Commission shall not be assignable, and shall be valid only for the dealer in whose name issued, and shall be displayed conspicuously in the principal place of business of said dealer in the State of Kentucky. The State Tax Commission shall keep and file all applications and bonds with an alphabetical index thereof, together with a record of all licensed dealers.

§ 14. Every "at wholesale" dealer shall file with the State Tax Commission a bond in the minimum amount of $2,000.00 and up to a maximum amount sufficient in the opinion of the State Tax Commission, the financial rating and reputation of the company considered, to insure payment to the State of Kentucky of the amount of tax and any penalties and interest for which the dealer may become liable, on a form to be approved by the State Tax Commission and with a surety thereon approved by the State Tax Commission and

upon which such dealer shall be the principal obligor and the State of Kentucky shall be the obligee, conditioned upon the prompt filing of true reports and the payment by such dealer to the Treasurer of the State of Kentucky of any and all gasoline excise taxes which are now or which hereafter may be levied or imposed by the State of Kentucky together with any and all penalties and/or interest thereon, and generally upon faithful compliance with the provisions of this act. In the event that liability upon the bond thus filed by the dealer with the State Tax Commission shall be discharged or reduced, whether by judgment rendered, payment made or otherwise, or if in the opinion of the State Tax Commission any surety on the bond theretofore given shall have become unsatisfactory or unacceptable, then the State Tax Commission may require the dealer to file a new bond with satisfactory sureties in the same amount, failing which the State Tax Commission shall forthwith cancel the license certificate of said dealer. If such new bond shall be furnished by said dealer as above provided, the State Tax Commission shall cancel and surrender the bond of said dealer for which such new bond shall be substituted. In the event that upon hearing, of which the dealer shall be given five (5) days' notice in writing, the State Tax Commission shall decide that the amount of the existing bond is insufficient to insure payment to the State of Kentucky of the amount of the tax and any penalties and interest for which said dealer is or may at any time become liable, then the dealer shall forthwith, upon the written demand of the State Tax Commission file an additional bond in the same manner and form with a surety thereon approved by the State Tax Commission to be necessary to secure at all times the payment by such dealer to the State of Kentucky of all taxes, penalties, and interest due under the provisions of this act, failing which the State Tax Commission shall forthwith cancel the license certificate of said dealers. Any surety on any bond furnished by any dealer as above provided shall be released and discharged from any and all liability to the State

of Kentucky accruing on such bond after the expiration of sixty (60) days from the date upon which such surety shall have lodged with the State Tax Commission written request to be released and discharged. Provided, however, that such request shall not operate to relieve, release, or discharge such surety from any liability already accrued, or which shall accrue, before the expiration of said sixty-day period. The State Tax Commission shall promptly on receipt of notice of such request notify the dealer who furnished such bond, and, unless, such dealer shall on or before the expiration of such sixty-day period file with the State Tax Commission a new bond with a surety satisfactory to the State Tax Commission in the amount and form hereinbefore in this section provided, the State Tax Commission shall forthwith cancel the license of said dealer. If such new bond shall be furnished by said dealer as above provided, the State Tax Commission shall cancel and surrender the bond of said dealer for which such new bond shall be substituted.

§ 15. If an "at wholesale" dealer shall at any time file a false monthly report of the data or information required by this act, or shall fail, refuse or neglect to file the monthly report required by this act, or to pay the full amount of the tax as required by this act, the State Tax Commission may forthwith cancel the license of said dealer and notify such dealer in writing of such cancellation by registered mail to the last known address of such dealer appearing on the files of the State Tax Commission. The State Tax Commission is hereby given the power to cancel any license hitherto or hereafter issued to any dealer, such cancellation to become effective sixty (60) days from the date of receipt of the written request of such dealer for cancellation thereof or said State Tax Commission may cancel the license of any dealer upon investigation and sixty (60) days' notice mailed to the last known address of such dealer if it shall ascertain and find that the person to whom such license has been issued is no longer engaged in the receipt, use or sale of gasoline as a dealer, and

has not been so engaged for the period of six (6) months prior to such cancellation. But no such license shall be canceled upon the request of any dealer until and unless the dealer shall, prior to the date of such cancellation, have paid to the State of Kentucky all excise taxes payable under the laws of the State of Kentucky together with any and all penalties and fines accruing by reason of any failure on the part of said dealer to make accurate reports as required by this act and/or to pay such taxes and/or penalties. In the event that the license of any dealer shall be canceled by the State Tax Commission as hereinbefore in this section provided, and in the further event that said dealer shall have paid to the State of Kentucky upon the receipt, sale or use of gasoline, together with any and all penalties accruing by reason of any failure on the part of said dealer to make accurate reports or to pay said tax and/or penalties, then the State Tax Commission shall cancel and surrender the bond theretofore filed by said dealer.

§ 16. Any person who shall engage in business in the State of Kentucky as an "at wholesale" dealer without being the holder of an uncanceled license to engage in such business, or who shall, without such license, sell any gasoline upon which the tax herein imposed shall not have been reported and paid, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than One Hundred Dollars ($100.00) nor more than One Thousand Dollars ($1,000.00) or by imprisonment in the county jail for not less than thirty (30) days nor more than one (1) year or both so fined and imprisoned in the discretion of the jury. Each day or part thereof during which any person shall engage in business as a dealer without being the holder of an uncanceled license shall constitute a separate offense within the meaning of this section.

§ 17. It shall be the duty of the State Tax Commission to administer and enforce the provisions of this act, and it is hereby authorized and empowered to prescribe all blanks,

forms and reports necessary to carry out the provisions of this act. It shall certify each month to the State Auditor the total amount of tax paid or collected from each wholesale dealer during the preceding month under the provisions of this act and shall accompany said certification with the checks received by it for the payment of said tax and penalties, if any. All costs and expenses incurred by the State Tax Commission in the administration of this act shall be paid out of the funds collected hereunder.

§ 18. No suit shall be maintained in any court to restrain or delay the collection or payment of the tax herein imposed upon any ground whatever, but the aggrieved taxpayer shall pay the taxes when due, and if paid under protest, may at any time within two years from the date of such payment sue the Auditor of Public Accounts in an action of law to recover the tax so paid, with legal interest thereon from the date of payment. If it is legally determined that said tax, or any part thereof, was wrongfully collected for any reason, it shall be the duty of the Auditor of Public Accounts then in office to issue his warrant on the Treasurer of the Commonwealth of Kentucky for the amount of such tax so adjudged to have been wrongfully collected, together with interest thereon, and the Treasurer shall pay same out of the public road fund of the State. A separate suit need not be filed for such separate payment made by any taxpayer, and a recovery may be had in one suit for as many illegal payments as may have been made, and which are not barred by the limitation of two years herein imposed.

§ 19. The provisions of this act are severable and if any of its provisions or any penalty provided by this act shall be held unconstitutional, such provision or the particular penalty held to be invalid shall not affect or impair the remainder of the act or such part of the penalties as are not held to be invalid and the decisions of the courts shall not affect or impair the remaining provisions of this act or any of the other penalties anywhere in this act provided. It is hereby

declared as a legislative intent that this act would have been adopted had any unconstitutional provisions of such invalid penalties not been included therein.

§ 20. Chapter One Hundred Fifty of the Acts of the General Assembly of 1932 hereby is repealed in its entirety, and it hereby is declared to be the legislative intent that this act shall constitute and embrace all of the law of this Commonwealth imposing any tax on gasoline.

Said Committee Amendment is as follows, viz.:

Amend H. B. 351 by striking out on page 2, line 9, the words and figures "four (4)" and in serting in lieu thereof the words and figures "five (5)".

Mr. Dickson moved the Previous Question on said amendment.

Whereupon the Speaker declared "Shall the Main Question be now put?"

Which was decided in the affirmative.

Said amendment was then agreed to.

The yeas and nays being required thereon by Messrs. Milam and Munford, were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Roscoe Claxon	Chas. P. Farnsley
C. W. Anderson, Jr.	George S. Clay	T. P. Fitzpatrick
W. T. Baker	Roy Conway	G. W. Garrett
G. M. Ballard	Herbert Cook	Eugene Gough
B. F. Bedford	Sam Dever	Ben Grogan
Reuben J. Boling	Stanley S. Dickson	C. L. Hammons
Ollie J. Bowen	George W. Dunlap	W. L. Hampton, Jr.
Wallace Brown	Howard G. Early	Thomas W. Hines

Price Holbrook	Duke Mayfield	Dr. B. F. Shields
Clyde S. Howard	John B. Mollett	P. L. Sidebottom
Ira W. Hulette	Rodes K. Myers	Chester D. Silvers
John M. Hunnicut	J. C. Nickell	Bruce Sloan
Ben W. Johnson	Mel Petry	H. C. Steely
J. H. Jones	A. W. Pfeiffer	Dr. H. S. Swope
O. C. Jones	J. C. Ramey	W. R. Tapp
R. T. Kirkman	Hobart Rayburn	J. J. Thomas
J. F. Ladd	Harry C. Records	S. J. Wagner
Robert E. Lee	L. K. Rice	Joseph L. Wall
M. T. McCarthy	Wade H. Riley	Henry Ward
T. B. McConnell	Joe E. Robinson	L. R. Wells
J. L. McDermott	John C. Robinson	W. G. Williams
W. F. McGary	A. W. Ross	Charles Wylie
Elmer McGlothen	Carl Scheben	
John Marshall	Ray O. Shehan	—70

Those who voted in the negative were—

H. T. Baker	Ferd A. Gnau	Tyler Munford
Dr. R. A. Byers	Jas. T. Hamilton	Russell O'Neill
Jas. C. Carter	Lloyd MacDonald	W. T. Rollo
J. A. Coleman	G. S. Milam	Carl Schneider
H. Myer Garner	W. H. Miller	R. Van Bever, Jr.
James Garnett, Jr.	W. E. Mull	—17

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen C. W. Anderson, Jr. W. T. Baker

G. M. Ballard
B. F. Bedford
Reuben J. Boling
Ollie J. Bowen
Wallace Brown
Jas. C. Carter
Floyd Clark
Roscoe Claxon
George S. Clay
Roy Conway
Herbert Cook
Harry Davis
Sam Dever
Stanley S. Dickson
George W. Dunlap
Howard G. Early
Walter R. Fannin
Chas. P. Farnsley
T. P. Fitzpatrick
H. Myer Garner
G. W. Garrett
Eugene Gough
Ben Grogan
C. L. Hammons
W. L. Hampton, Jr.
Thomas W. Hines
Price Holbrook
Clyde S. Howard
Ira W. Hulette
John M. Hunnicut
Ben W. Johnson
J. H. Jones
O. C. Jones
R. T. Kirkman
J. F. Ladd
Robert E. Lee
M. T. McCarthy
T. B. McConnell
J. L. McDermott
Lloyd MacDonald
W. F. McGary
Elmer McGlothen
John Marshall
Duke Mayfield
John B. Mollett
Tyler Munford
J. C. Nickell
Russell O'Neill
Mel Petry
A. W. Pfeiffer
J. C. Ramey
Hobart Rayburn
Harry C. Records
L. K. Rice
Wade H. Riley
Joe E. Robinson
John C. Robinson
A. W. Ross
Carl Scheben
Ray O. Shehan
Dr. B. F. Shields
P. L. Sidebottom
Bruce Sloan
H. C. Steely
Dr. H. S. Swope
W. R. Tapp
J. J. Thomas
R. Van Bever, Jr.
S. J. Wagner
Joseph L. Wall
Henry Ward
L. R. Wells
W. G. Williams
Charles Wylie

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Those who voted in the negative were—

Dr. R. A. Byers
J. A. Coleman
James Garnett, Jr.
Ferd A. Gnau
Jas. T. Hamilton
G. S. Milam
W. H. Miller
W. E. Mull
W. T. Rollo
Carl Schneider

—10

Resolved that the title thereof be as aforesaid.

Mr. Dickson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 503. An Act creating and establishing as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at the Ohio River in the town of Weston in Crittenden County, and running in a southern direction, and known as the Old Flynns Ferry road, by the way of Mattoon village and Consolidated School through the village of Tribune, continuing by the way of Piney Camp Ground to the Caldwell County line, a distance of approximately twenty-five miles.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and there now is established as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at the Ohio River in the town of Weston in Crittenden County, and running in a southern direction, and known as the Old Flynns Ferry road, by the way of Mattoon Village and Consolidated School through the village of Tribune, continuing by the way of Piney Camp Ground to the Caldwell County line, a distance of approximately twenty-five miles.

§ 2. That the road now established as a part of the primary system of highways of the Commonwealth of Kentucky shall be entitled to all the rights, privileges, benefits and conditions of all the laws now in force or which may hereafter be enacted affecting the primary road system.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	W. L. Hampton, Jr.	Mel Petry
C. W. Anderson, Jr.	Thomas W. Hines	A. W. Pfeiffer
H. T. Baker	Price Holbrook	J. C. Ramey
W. T. Baker	Clyde S. Howard	Hobart Rayburn
G. M. Ballard	Ira W. Hulette	L. K. Rice
B. F. Bedford	John M. Hunnicut	Wade H. Riley
Reuben J. Boling	Ben W. Johnson	Joe E. Robinson
Ollie J. Bowen	J. H. Jones	John C. Robinson
Wallace Brown	O. C. Jones	W. T. Rollo
Dr. R. A. Byers	R. T. Kirkman	A. W. Ross
Jas. C. Carter	J. F. Ladd	Carl Scheben
Floyd Clark	Robert E. Lee	Carl Schneider
Roscoe Claxon	M. T. McCarthy	Ray O. Shehan
George S. Clay	T. B. McConnell	Dr. B. F. Shields
J. A. Coleman	J. L. McDermott	Chester D. Silvers
Roy Conway	Lloyd MacDonald	Bruce Sloan
Herbert Cook	W. F. McGary	H. C. Steely
Harry Davis	Elmer McGlothen	Dr. H. S. Swope
Sam Dever	John Marshall	W. R. Tapp
Stanley S. Dickson	Duke Mayfield	J. J. Thomas
George W. Dunlap	G. S. Milam	R. Van Bever, Jr.
Walter R. Fannin	W. H. Miller	Joseph L. Wall
James Garnett, Jr.	John B. Mollett	Henry Ward
G. W. Garrett	W. E. Mull	L. R. Wells
Ferd A. Gnau	Tyler Munford	W. G. Williams
Eugene Gough	Rodes K. Myers	Charles Wylie
Ben Grogan	J. C. Nickell	
C. L. Hammons	Russell O'Neill	—82

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 504. An Act creating and establishing as part of the primary system of highways of the Commonwealth of Kentucky a road beginning at Elk Fork, Morgan County, on the West Liberty–Paintsville road; thence up the Laurel Fork; thence crossing the ridge; thence down the Middle Fork of Little Sandy to Fannin, Elliott County, Kentucky, connecting with the Sandy Hook-Louisa Road.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of state highways of the Commonwealth of Kentucky, a road extending at Elk Fork, Morgan County, on the West Liberty–Paintsville road; thence up the Laurel Fork; thence crossing the ridge; thence down the middle fork of Little Sandy to Fannin, Elliott County, Kentucky, connecting with the Sandy Hook–Louisa road.

§ 2. This road thus established to be entitled to receive all benefits of such laws as are now or may hereafter be in effect relating to the primary system of roads and highways in the Commonwealth of Kentucky.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said

bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	W. L. Hampton, Jr.	Mel Petry
C. W. Anderson, Jr.	Thomas W. Hines	A. W. Pfeiffer
H. T. Baker	Price Holbrook	J. C. Ramey
W. T. Baker	Clyde S. Howard	Hobart Rayburn
G. M. Ballard	Ira W. Hulette	L. K. Rice
B. F. Bedford	John M. Hunnicut	Wade H. Riley
Reuben J. Boling	Ben W. Johnson	Joe E. Robinson
Ollie J. Bowen	J. H. Jones	John C. Robinson
Wallace Brown	O. C. Jones	W. T. Rollo
Dr. R. A. Byers	R. T. Kirkman	A. W. Ross
Jas. C. Carter	J. F. Ladd	Carl Scheben
Floyd Clark	Robert E. Lee	Carl Schneider
Roscoe Claxon	M. T. McCarthy	Ray O. Shehan
George S. Clay	T. B. McConnell	Dr. B. F. Shields
J. A. Coleman	J. L. McDermott	Chester D. Silvers
Roy Conway	Lloyd MacDonald	Bruce Sloan
Herbert Cook	W. F. McGary	H. C. Steely
Harry Davis	Elmer McGlothen	Dr. H. S. Swope
Sam Dever	John Marshall	W. R. Tapp
Stanley S. Dickson	Duke Mayfield	J. J. Thomas
George W. Dunlap	G. S. Milam	R. Van Bever, Jr.
Walter R. Fannin	W. H. Miller	Joseph L. Wall
James Garnett, Jr.	John B. Mollett	Henry Ward
G. W. Garrett	W. E. Mull	L. R. Wells
Ferd A. Gnau	Tyler Munford	W. G. Williams
Eugene Gough	Rodes K. Myers	Charles Wylie
Ben Grogan	J. C. Nickell	
C. L. Hammons	Russell O'Neill	—82

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 510. An Act repealing, amending and re-enacting Chapter 356, 1928 Session, General Assembly of the Commonwealth of Kentucky, relating to roads made a part of the primary system of roads of the Commonwealth of Kentucky. Said road being Project No. 409.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Chapter 356 of the Acts of the General Assembly of the Commonwealth of Kentucky, 1928, be and the same is hereby repealed, amended and re-enacted so when amended and re-enacted said Chapter will read as follows:

"There is hereby created and made a part of the State highway system of primary roads, a road beginning at a point what is known as the Lafferty Turnpike intersects the Cynthiana, Breckinridge and Renaker Turnpike known as Cynthiana and Williamstown pike, Project No. 229 in Harrison County, about 4.46 miles northwest of Cynthiana; thence with and over and along said Lafferty Turnpike by way of Colemansville and Boyd; thence with and along the route of the Boyd and Antioch Mills Turnpike to Antioch intersecting there with U. S. Highway 27 a distance of approximately 18½ miles.

§ 2. This road thus established to be entitled to receive all benefits of such laws as are now or may hereafter be in effect relating to the primary system of roads and highways in the Commonwealth of Kentucky.

All laws in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of

said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	W. L. Hampton, Jr.	Mel Petry
C. W. Anderson, Jr.	Thomas W. Hines	A. W. Pfeiffer
H. T. Baker	Price Holbrook	J. C. Ramey
W. T. Baker	Clyde S. Howard	Hobart Rayburn
G. M. Ballard	Ira W. Hulette	L. K. Rice
B. F. Bedford	John M. Hunnicut	Wade H. Riley
Reuben J. Boling	Ben W. Johnson	Joe E. Robinson
Ollie J. Bowen	J. H. Jones	John C. Robinson
Wallace Brown	O. C. Jones	W. T. Rollo
Dr. R. A. Byers	R. T. Kirkman	A. W. Ross
Jas. C. Carter	J. F. Ladd	Carl Scheben
Floyd Clark	Robert E. Lee	Carl Schneider
Roscoe Claxon	M. T. McCarthy	Ray O. Shehan
George S. Clay	T. B. McConnell	Dr. B. F. Shields
J. A. Coleman	J. L. McDermott	Chester D. Silvers
Roy Conway	Lloyd MacDonald	Bruce Sloan
Herbert Cook	W. F. McGary	H. C. Steely
Harry Davis	Elmer McGlothen	Dr. H. S. Swope
Sam Dever	John Marshall	W. R. Tapp
Stanley S. Dickson	Duke Mayfield	J. J. Thomas
George W. Dunlap	G. S. Milam	R. Van Bever, Jr.
Walter R. Fannin	W. H. Miller	Joseph L. Wall
James Garnett, Jr.	John B. Mollett	Henry Ward
G. W. Garrett	W. E. Mull	L. R. Wells
Ferd A. Gnau	Tyler Munford	W. G. Williams
Eugene Gough	Rodes K. Myers	Charles Wylie
Ben Grogan	J. C. Nickell	
C. L. Hammons	Russell O'Neill	—82

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 530. An Act relating to Roads, Bridges and Highways.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and there is now established as a part of the primary road system of roads and highways of the Commonwealth of Kentucky, the three following routes:

Road Project in Monroe County—Beginning at or near Sam Chism's place at a point in the Tompkinsville-Mulkey Meeting House Road, and running thence via Harlan's Cross roads, Berea chapple and Walter Bartley's to the double spring on the Kentucky–Tennessee line at Boles, Kentucky.

Also: Monroe County—Beginning at Black's ferry and running thence via Raydure post office and down Kettle Creek via Kettle Creek school and Homer Spear's store to Kentucky-Tennessee State line.

Also: Monroe County—From south side of river at McWilliam's landing, through Tem Chappell's place, and thence through Turkey Neck Bend via Tom Finley's to intersect with Black's ferry, Raydure road at or near Ed Jones' place.

Each project thus established to be a part of and entitled to all the privileges, benefits and conditions now given by any act or law to any of the primary roads in this Commonwealth.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	W. L. Hampton, Jr.	Mel Petry
C. W. Anderson, Jr.	Thomas W. Hines	A. W. Pfeiffer
H. T. Baker	Price Holbrook	J. C. Ramey
W. T. Baker	Clyde S. Howard	Hobart Rayburn
G. M. Ballard	Ira W. Hulette	L. K. Rice
B. F. Bedford	John M. Hunnicut	Wade H. Riley
Reuben J. Boling	Ben W. Johnson	Joe E. Robinson
Ollie J. Bowen	J. H. Jones	John C. Robinson
Wallace Brown	O. C. Jones	W. T. Rollo
Dr. R. A. Byers	R. T. Kirkman	A. W. Ross
Jas. C. Carter	J. F. Ladd	Carl Scheben
Floyd Clark	Robert E. Lee	Carl Schneider
Roscoe Claxon	M. T. McCarthy	Ray O. Shehan
George S. Clay	T. B. McConnell	Dr. B. F. Shields
J. A. Coleman	John L. McDermott	Chester D. Silvers
Roy Conway	Lloyd MacDonald	Bruce Sloan
Herbert Cook	W. F. McGary	H. C. Steely
Harry Davis	Elmer McGlothen	Dr. H. S. Swope
Sam Dever	John Marshall	W. R. Tapp
Stanley S. Dickson	Duke Mayfield	J. J. Thomas
George W. Dunlap	G. S. Milam	R. Van Bever, Jr.
Walter R. Fannin	W. H. Miller	Joseph L. Wall
James Garnett, Jr.	John B. Mollett	Henry Ward
G. W. Garrett	W. E. Mull	L. R. Wells
Ferd A. Gnau	Tyler Munford	W. G. Williams
Eugene Gough	Rodes K. Myers	Charles Wylie
Ben Grogan	J. C. Nickell	
C. L. Hammons	Russell O'Neill	—82

Resolved that the title thereof be as aforesaid,

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 536. An Act creating and establishing as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at a point on Highway 60 in Crittenden County near Charlie Berry's and running in a southern direction to the town of Black Ford on the Treadwater River at the Webster County line, a distance of a mile and a half.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and there now is established as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at a point on Highway 60 in Crittenden County near Charlie Berry's, and running in a southern direction to the town of Black Ford on the Treadwater River at the Webster County line, a distance of a mile and a half.

§ 2. That the road now established as a part of the primary system of highways of the Commonwealth of Kentucky shall be entitled to all the rights, priviliges, benefits and conditions of all the laws now in force or which may hereafter be enacted affecting the primary road system.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	W. L. Hampton, Jr.	Mel Petry
C. W. Anderson, Jr.	Thomas W. Hines	A. W. Pfeiffer
H. T. Baker	Price Holbrook	J. C. Ramey
W. T. Baker	Clyde S. Howard	Hobart Rayburn
G. M. Ballard	Ira W. Hulette	L. K. Rice
B. F. Bedford	John M. Hunnicut	Wade H. Riley
Reuben J. Boling	Ben W. Johnson	Joe E. Robinson
Ollie J. Bowen	J. H. Jones	John C. Robinson
Wallace Brown	O. C. Jones	W. T. Rollo
Dr. R. A. Byers	R. T. Kirkman	A. W. Ross
Jas. C. Carter	J. F. Ladd	Carl Scheben
Floyd Clark	Robert E. Lee	Carl Schneider
Roscoe Claxon	M. T. McCarthy	Ray O. Shehan
George S. Clay	T. B. McConnell	Dr. B. F. Shields
J. A. Coleman	John L. McDermott	Chester D. Silvers
Roy Conway	Lloyd MacDonald	Bruce Sloan
Herbert Cook	W. F. McGary	H. C. Steely
Harry Davis	Elmer McGlothen	Dr. H. S. Swope
Sam Dever	John Marshall	W. R. Tapp
Stanley S. Dickson	Duke Mayfield	J. J. Thomas
George W. Dunlap	G. S. Milam	R. Van Bever, Jr.
Walter R. Fannin	W. H. Miller	Joseph L. Wall
James Garnett, Jr.	John B. Mollett	Henry Ward
G. W. Garrett	W. E. Mull	L. R. Wells
Ferd A. Gnau	Tyler Munford	W. G. Williams
Eugene Gough	Rodes K. Myers	Charles Wylie
Ben Grogan	J. C. Nickell	
C. L. Hammons	Russell O'Neill	—82

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 540. An Act establishing as a part of the primary road system, a road extending from the intersection of same with Monticello–Jamestown road near the residence of N. L. Jones, to Frisbie post office, in Wayne County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is hereby established as a part of the primary road system a road in Wayne County extending from the intersection of same witn Monticello–Jamestown road, near the residence of J. L. Jones, to Frisbie post office.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Wallace Brown	Roy Conway
C. W. Anderson, Jr.	Dr. R. A. Byers	Herbert Cook
H. T. Baker	Jas. C. Carter	Harry Davis
W. T. Baker	V. O. Chandler	Sam Dever
G. M. Ballard	Floyd Clark	Stanley S. Dickson
B. F. Bedford	Roscoe Claxon	George W. Dunlap
Reuben J. Boling	George S. Clay	Walter R. Fannin
Douglas Bolling	J. A. Coleman	James Garnett, Jr.

G. W. Garrett	John L. McDermott	John C. Robinson
Ferd A. Gnau	Lloyd MacDonald	W. T. Rollo
Eugene Gough	W. F. McGary	A. W. Ross
Ben Grogan	Elmer McGlothen	Carl Scheben
Jas. T. Hamilton	John Marshall	Carl Schneider
C. L. Hammons	Duke Mayfield	Ray O. Shehan
W. L. Hampton, Jr.	G. S. Milam	Dr. B. F. Shields
Thomas W. Hines	W. H. Miller	Chester D. Silvers
Price Holbrook	John B. Mollett	Bruce Sloan
Clyde S. Howard	W. E. Mull	H. C. Steely
Ira W. Hulette	Tyler Munford	Dr. H. S. Swope
John M. Hunnicut	Rodes K. Myers	W. R. Tapp
Ben W. Johnson	J. C. Nickell	J. J. Thomas
J. H. Jones	Russell O'Neill	R. Van Bever, Jr.
O. C. Jones	Mel Petry	Joseph L. Wall
R. T. Kirkman	A. W. Pfeiffer	Henry Ward
J. F. Ladd	J. C. Ramey	L. R. Wells
Leslie Larrimore	Hobart Rayburn	W. G. Williams
Robert E. Lee	L. K. Rice	Charles Wylie
M. T. McCarthy	Wade H. Riley	
T. B. McConnell	Joe E. Robinson	—85

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 541. An Act establishing as a part of the primary road system, a road extending from the intersection of same with Monticello–Rankin road, near the residence of J. I. Daugherty, crossing Cumberland River at Morrow's Landing, thence by way of C. L. Thurston's store, at Grape post office; to the post office at Cedar Crest, in Wayne County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is hereby established as a part of the primary road system a road in Wayne County extending from the intersection of same with Monticello–Rankin road, near the residence of J. I. Daugherty, crossing Cumberland River near Morrow's landing, thence by way of C. L. Thurston's store, at Grape post office, to the post office at Cedar Crest.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Herbert Cook	Ira W. Hulette
C. W. Anderson, Jr.	Harry Davis	John M. Hunnicut
H. T. Baker	Sam Dever	Ben W. Johnson
W. T. Baker	Stanley S. Dickson	J. H. Jones
G. M. Ballard	George W. Dunlap	O. C. Jones
B. F. Bedford	Walter R. Fannin	R. T. Kirkman
Reuben J. Boling	James Garnett, Jr.	J. F. Ladd
Ollie J. Bowen	G. W. Garrett	Robert E. Lee
Wallace Brown	Ferd A. Gnau	M. T. McCarthy
Dr. R. A. Byers	Eugene Gough	T. B. McConnell
Jas. C. Carter	Ben Grogan	John L. McDermott
Floyd Clark	C. L. Hammons	Lloyd MacDonald
Roscoe Claxon	W. L. Hampton, Jr.	W. F. McGary
George S. Clay	Thomas W. Hines	Elmer McGlothen
J. A. Coleman	Price Holbrook	John Marshall
Roy Conway	Clyde S. Howard	Duke Mayfield

G. S. Milam	L. K. Rice	H. C. Steely
W. H. Miller	Wade H. Riley	Dr. H. S. Swope
John B. Mollett	Joe E. Robinson	W. R. Tapp
W. E. Mull	John C. Robinson	J. J. Thomas
Tyler Munford	W. T. Rollo	R. Van Bever, Jr.
Rodes K. Myers	A. W. Ross	Joseph L. Wall
J. C. Nickell	Carl Scheben	Henry Ward
Russell O'Neill	Carl Schneider	L. R. Wells
Mel Petry	Ray O. Shehan	W. G. Williams
A. W. Pfeiffer	Dr. B. F. Shields	Charles Wylie
J. C. Ramey	Chester D. Silvers	
Hobart Rayburn	Bruce Sloan	—82

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 542. An Act establishing as a part of the primary road system a road extending from the intersection of same with Highway No. 90 near the residence of Sam Molen, of Frazier post office, to the Betsey post office, in Wayne County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is hereby established as a part of the primary road system a road in Wayne County extending from the intersection of same with Highway No. 90, near the residence of Sam Molen, of Frazer post office, to the Betsey post office.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen
C. W. Anderson, Jr.
H. T. Baker
W. T. Baker
G. M. Ballard
B. F. Bedford
Reuben J. Boling
Ollie J. Bowen
Wallace Brown
Dr. R. A. Byers
Jas. C. Carter
Floyd Clark
Roscoe Claxon
George S. Clay
J. A. Coleman
Roy Conway
Herbert Cook
Harry Davis
Sam Dever
Stanley S. Dickson
George W. Dunlap
Walter R. Fannin
James Garnett, Jr.
G. W. Garrett
Ferd A. Gnau
Eugene Gough
Ben Grogan
C. L. Hammons
W. L. Hampton, Jr.
Thomas W. Hines
Price Holbrook
Clyde S. Howard
Ira W. Hulette
John M. Hunnicut
Ben W. Johnson
J. H. Jones
O. C. Jones
R. T. Kirkman
J. F. Ladd
Robert E. Lee
M. T. McCarthy
T. B. McConnell
John L. McDermott
Lloyd MacDonald
W. F. McGary
Elmer McGlothen
John Marshall
Duke Mayfield
G. S. Milam
W. H. Miller
John B. Mollett
W. E. Mull
Tyler Munford
Rodes K. Myers
J. C. Nickell
Russell O'Neill
Mel Petry
A. W. Pfeiffer
J. C. Ramey
Hobart Rayburn
L. K. Rice
Wade H. Riley
Joe E. Robinson
John C. Robinson
W. T. Rollo
A. W. Ross
Carl Scheben
Carl Schneider
Ray O. Shehan
Dr. B. F. Shields
Chester D. Silvers
Bruce Sloan
H. C. Steely
Dr. H. S. Swope
W. R. Tapp
J. J. Thomas
R. Van Bever, Jr.
Joseph L. Wall
Henry Ward
L. R. Wells
W. G. Williams
Charles Wylie

—82

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 543. An Act establishing as a part of the primary road system a road extending from the intersection of same with Highway No. 90 at Mill Springs Post Office to Mitt Conley's store at Bud Post Office in Wayne County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is hereby established as a part of the primary road system a road in Wayne County, Kentucky, extending from the intersection of same with Highway No. 90 at Mill Springs Post Office to Mitt Conley's store at Bud Post Office.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	W. T. Baker	Reuben J. Boling
C. W. Anderson, Jr.	G. M. Ballard	Douglas Bolling
H. T. Baker	B. F. Bedford	Wallace Brown

Dr. R. A. Byers	John M. Hunnicut	J. C. Ramey
Jas. C. Carter	Ben W. Johnson	Hobart Rayburn
V. O. Chandler	J. H. Jones	L. K. Rice
Floyd Clark	O. C. Jones	Wade H. Riley
Roscoe Claxon	R. T. Kirkman	Joe E. Robinson
George S. Clay	J. F. Ladd	John C. Robinson
J. A. Coleman	Robert E. Lee	W. T. Rollo
Roy Conway	M. T. McCarthy	A. W. Ross
Herbert Cook	T. B. McConnell	Carl Scheben
Harry Davis	John L. McDermott	Carl Schneider
Sam Dever	Lloyd MacDonald	Ray O. Shehan
Stanley S. Dickson	W. F. McGary	Dr. B. F. Shields
George W. Dunlap	Elmer McGlothen	Chester D. Silvers
Walter R. Fannin	John Marshall	Bruce Sloan
James Garnett, Jr.	Duke Mayfield	H. C. Steely
G. W. Garrett	G. S. Milam	Dr. H. S. Swope
Ferd A. Gnau	W. H. Miller	W. R. Tapp
Eugene Gough	John B. Mollett	J. J. Thomas
Ben Grogan	W. E. Mull	R. Van Bever, Jr.
C. L. Hammons	Tyler Munford	Joseph L. Wall
W. L. Hampton, Jr.	Rodes K. Myers	Henry Ward
Thomas W. Hines	J. C. Nickell	L. R. Wells
Price Holbrook	Russell O'Neill	W. G. Williams
Clyde S. Howard	Mel Petry	Charles Wylie
Ira W. Hulette	A. W. Pfeiffer	—83

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 544. An Act establishing as a part of the primary road system a road extending from the intersection of same

with the Delta-Gregory Road at Gregory post office to Pueblo Post Office in Wayne County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is hereby established as a part of the primary road system a road in Wayne County extending from the intersection of same with the Delta-Gregory Road at Gregory Post Office to Pueblo Post Office.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Roy Conway	Clyde S. Howard
C. W. Anderson, Jr.	Herbert Cook	Ira W. Hulette
H. T. Baker	Harry Davis	John M. Hunnicut
W. T. Baker	Sam Dever	Ben W. Johnson
G. M. Ballard	Stanley S. Dickson	J. H. Jones
B. F. Bedford	George W. Dunlap	O. C. Jones
Reuben J. Boling	Walter R. Fannin	R. T. Kirkman
Douglas Bolling	James Garnett, Jr.	J. F. Ladd
Wallace Brown	G. W. Garrett	Leslie Larrimore
Dr. R. A. Byers	Ferd A. Gnau	Robert E. Lee
Jas. C. Carter	Eugene Gough	M. T. McCarthy
V. O. Chandler	Ben Grogan	T. B. McConnell
Floyd Clark	C. L. Hammons	John L. McDermott
Roscoe Claxon	W. L. Hampton, Jr.	Lloyd MacDonald
George S. Clay	Thomas W. Hines	W. F. McGary
J. A. Coleman	Price Holbrook	Elmer McGlothen

John Marshall	J. C. Ramey	Chester D. Silvers
Duke Mayfield	Hobart Rayburn	Bruce Sloan
G. S. Milam	L. K. Rice	H. C. Steely
W. H. Miller	Wade H. Riley	Dr. H. S. Swope
John B. Mollett	Joe E. Robinson	W. R. Tapp
W. E. Mull	John C. Robinson	J. J. Thomas
Tyler Munford	W. T. Rollo	R. Van Bever, Jr.
Rodes K. Myers	A. W. Ross	Joseph L. Wall
J. C. Nickell	Carl Scheben	Henry Ward
Russell O'Neill	Carl Schneider	L. R. Wells
Mel Petry	Ray O. Shehan	W. G. Williams
A. W. Pfeiffer	Dr. B. F. Shields	Charles Wylie

—84

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 545. An Act establishing as a part of the primary road system a road extending from the intersection of same with the Monticello-Coopersville Road at Barrier Post Office by way of Burfield to the intersection of same with Parmleysville-Mount Pisgah Road near the residence of H. R. Blevins, in Wayne County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is hereby established as a part of the primary road system a road in Wayne County extending from the intersection of same with the Monticello-Coopersville Road at Barrier Post Office by way of Burfield to the intersection of

same with Parmleysville-Mount Pisgah Road near the residence of H. R. Blevins.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen
C. W. Anderson, Jr.
H. T. Baker
W. T. Baker
G. M. Ballard
B. F. Bedford
Reuben J. Boling
Douglas Bolling
Wallace Brown
Dr. R. A. Byers
Jas. C. Carter
V. O. Chandler
Floyd Clark
Roscoe Claxon
George S. Clay
J. A. Coleman
Roy Conway
Herbert Cook
Harry Davis
Sam Dever
Stanley S. Dickson
George W. Dunlap
Walter R. Fannin
James Garnett, Jr.
G. W. Garrett
Ferd A. Gnau
Eugene Gough
Ben Grogan
C. L. Hammons
W. L. Hampton, Jr.
Thomas W. Hines
Price Holbrook
Clyde S. Howard
Ira W. Hulette
John M. Hunnicut
Ben W. Johnson
J. H. Jones
O. C. Jones
R. T. Kirkman
J. F. Ladd
Robert E. Lee
M. T. McCarthy
T. B. McConnell
John L. McDermott
Lloyd MacDonald
W. F. McGary
Elmer McGlothen
John Marshall
Duke Mayfield
G. S. Milam
W. H. Miller
John B. Mollett
W. E. Mull
Tyler Munford
Rodes K. Myers
J. C. Nickell
Russell O'Neill
Mel Petry
A. W. Pfeiffer
J. C. Ramey
Hobart Rayburn
L. K. Rice
Wade H. Riley
Joe E. Robinson
John C. Robinson
W. T. Rollo
A. W. Ross
Carl Scheben
Carl Schneider
Ray O. Shehan
Dr. B. F. Shields
Chester D. Silvers
Bruce Sloan
H. C. Steely
Dr. H. S. Swope

W. R. Tapp	Joseph L. Wall	W. G. Williams
J. J. Thomas	Henry Ward	Charles Wylie
R. Van Bever, Jr.	L. R. Wells	—83

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 546. An Act establishing as a part of the primary road system a road extending from the intersection of same with Highway No. 90 at Simpson's Store near Frazer Post Office by way of Hardwick to the intersection of same with the Kidder Road at or near Jodie Hammond's residence, thence to the intersection of same with the Bronston-Kidder Road near Kidder Post Office, in Wayne County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is hereby established as a part of the primary road system a road in Wayne County extending from the intersection of same with Highway No. 90 at Simpson's Store, near Frazer Post Office by way of Hardwick to the intersection of same with the Kidder Road at or near Jodie Hammond's residence, thence to the intersection of same with the Bronston-Kidder Road near Kidder Post Office.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of

said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—.

Henry H. Allen	C. L. Hammons	Russell O'Neill
C. W. Anderson, Jr.	W. L. Hampton, Jr.	Mel Petry
H. T. Baker	Thomas W. Hines	A. W. Pfeiffer
W. T. Baker	Price Holbrook	J. C. Ramey
G. M. Ballard	Clyde S. Howard	Hobart Rayburn
B. F. Bedford	Ira W. Hulette	L. K. Rice
Reuben J. Boling	John M. Hunnicut	Wade H. Riley
Douglas Bolling	Ben W. Johnson	Joe E. Robinson
Wallace Brown	J. H. Jones	John C. Robinson
Dr. R. A. Byers	O. C. Jones	W. T. Rollo
Jas. C. Carter	R. T. Kirkman	A. W. Ross
V. O. Chandler	J. F. Ladd	Carl Scheben
Floyd Clark	Robert E. Lee	Carl Schneider
Roscoe Claxon	M. T. McCarthy	Ray O. Shehan
George S. Clay	T. B. McConnell	Dr. B. F. Shields
J. A. Coleman	John L. McDermott	Chester D. Silvers
Roy Conway	Lloyd MacDonald	Bruce Sloan
Herbert Cook	W. F. McGary	H. C. Steely
Harry Davis	Elmer McGlothen	Dr. H. S. Swope
Sam Dever	John Marshall	W. R. Tapp
Stanley S. Dickson	Duke Mayfield	J. J. Thomas
George W. Dunlap	G. S. Milam	R. Van Bever, Jr.
Walter R. Fannin	W. H. Miller	Joseph L. Wall
James Garnett, Jr.	John B. Mollett	Henry Ward
G. W. Garrett	W. E. Mull	L. R. Wells
Ferd A. Gnau	Tyler Munford	W. G. Williams
Eugene Gough	Rodes K. Myers	Charles Wylie
Ben Grogan	J. C. Nickell	—83

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 547. An Act establishing as a part of the primary road system a road extending from the intersection of same with the Monticello-Jamestown Road at Lower Parnell's School House by way of Dug Hill to the intersection of same with Highway No. 90 at Crabtree's shop in Wayne County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is hereby established as a part of the primary road system a road in Wayne County, Kentucky, extending from the intersection of same with the Monticello-Jamestown Road at Lower Parnell's School House by way of Dug Hill to the intersection of same with Highway No. 90 at Crabtree's shop.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	W. T. Baker	Reuben J. Boling
C. W. Anderson, Jr.	G. M. Ballard	Douglas Bolling
H. T. Baker	B. F. Bedford	Wallace Brown

Dr. R. A. Byers	John M. Hunnicut	A. W. Pfeiffer
Jas. C. Carter	Ben W. Johnson	J. C. Ramey
V. O. Chandler	J. H. Jones	Hobart Rayburn
Floyd Clark	O. C. Jones	L. K. Rice
Roscoe Claxon	R. T. Kirkman	Wade H. Riley
George S. Clay	J. F. Ladd	Joe E. Robinson
J. A. Coleman	Leslie Larrimore	John C. Robinson
Roy Conway	Robert E. Lee	W. T. Rollo
Herbert Cook	M. T. McCarthy	A. W. Ross
Harry Davis	T. B. McConnell	Carl Scheben
Sam Dever	John L. McDermott	Carl Schneider
Stanley S. Dickson	Lloyd MacDonald	Ray O. Shehan
George W. Dunlap	W. F. McGary	Dr. B. F. Shields
Walter R. Fannin	Elmer McGlothen	Chester D. Silvers
James Garnett, Jr.	John Marshall	Bruce Sloan
G. W. Garrett	Duke Mayfield	H. C. Steely
Ferd A. Gnau	G. S. Milam	Dr. H. S. Swope
Eugene Gough	W. H. Miller	W. R. Tapp
Ben Grogan	John B. Mollett	J. J. Thomas
C. L. Hammons	W. E. Mull	R. Van Bever, Jr.
W. L. Hampton, Jr.	Tyler Munford	Joseph L. Wall
Thomas W. Hines	Rodes K. Myers	Henry Ward
Price Holbrook	J. C. Nickell	L. R. Wells
Clyde S. Howard	Russell O'Neill	W. G. Williams
Ira W. Hulette	Mel Petry	Charles Wylie

—84

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 548. An Act establishing as a part of the primary road system a road extending from the intersection of same

with Oil Valley Road at Elk Spring Valley Cemetery crossing Coffey Mountain to the intersection of same with Monticello-Mount Pisgah Road at E. K. Abbott's store near Sumpter's School House, in Wayne County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is hereby established as a part of the primary road system a road in Wayne County, extending from the intersection of same with Oil Valley Road at Elk Spring Valley Cemetery crossing Coffey Mountain to the intersection of same with Monticello-Mount Pisgah Road at E. K. Abbott's store near Sumpter's School House.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	V. O. Chandler	Walter R. Fannin
C. W. Anderson, Jr.	Floyd Clark	James Garnett, Jr.
H. T. Baker	Roscoe Claxon	G. W. Garrett
W. T. Baker	George S. Clay	Ferd A. Gnau
G. M. Ballard	J. A. Coleman	Eugene Gough
B. F. Bedford	Roy Conway	Ben Grogan
Reuben J. Boling	Herbert Cook	C. L. Hammons
Douglas Bolling	Harry Davis	W. L. Hampton, Jr.
Wallace Brown	Sam Dever	Thomas W. Hines
Dr. R. A. Byers	Stanley S. Dickson	Price Holbrook
Jas. C. Carter	George W. Dunlap	Clyde S. Howard

Ira W. Hulette	G. S. Milam	A. W. Ross
John M. Hunnicut	W. H. Miller	Carl Scheben
Ben W. Johnson	John B. Mollett	Carl Schneider
J. H. Jones	W. E. Mull	Ray O. Shehan
O. C. Jones	Tyler Munford	Dr. B. F. Shields
R. T. Kirkman	Rodes K. Myers	Chester D. Silvers
J. F. Ladd	J. C. Nickell	Bruce Sloan
Leslie Larrimore	Russell O'Neill	H. C. Steely
Robert E. Lee	Mel Petry	Dr. H. S. Swope
M. T. McCarthy	A. W. Pfeiffer	W. R. Tapp
T. B. McConnell	J. C. Ramey	J. J. Thomas
John L. McDermott	Hobart Rayburn	R. Van Bever, Jr.
Lloyd MacDonald	L. K. Rice	Joseph L. Wall
W. F. McGary	Wade H. Riley	Henry Ward
Elmer McGlothen	Joe E. Robinson	L. R. Wells
John Marshall	John C. Robinson	W. G. Williams
Duke Mayfield	W. T. Rollo	Charles Wylie

—84

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 568. An Act establishing as a part of the primary system of public roads, a road in Johnson County, Kentucky, known as the Litteral Highway.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is hereby established as part of the Primary System of the state of Kentucky, a road beginning at the Conley

store at Oil Springs on the Garrett Highway, route 40, thence, down Little Paint to the Davis school house, thence to the Colvin Branch, thence to Volga on the Jenny Wiley trail.

The construction, maintenance, supervision and control of said road shall be subject to and controlled by all the terms and conditions set out and provided for in Chapter 17 of the Acts of the General Assembly of 1920, establishing and creating a primary system of State Highways, the same as though said road had been named in said original Act as one of the projects of said primary system of highways.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	J. A. Coleman	Thomas W. Hines
C. W. Anderson, Jr.	Roy Conway	Price Holbrook
H. T. Baker	Herbert Cook	Clyde S. Howard
W. T. Baker	Harry Davis	Ira W. Hulette
G. M. Ballard	Sam Dever	John M. Hunnicut
B. F. Bedford	Stanley S. Dickson	Ben W. Johnson
Reuben J. Boling	George W. Dunlap	J. H. Jones
Douglas Bolling	Walter R. Fannin	O. C. Jones
Wallace Brown	James Garnett, Jr.	R. T. Kirkman
Dr. R. A. Byers	G. W. Garrett	J. F. Ladd
Jas. C. Carter	Ferd A. Gnau	Leslie Larrimore
V. O. Chandler	Eugene Gough	Robert E. Lee
Floyd Clark	Ben Grogan	M. T. McCarthy
Roscoe Claxon	C. L. Hammons	T. B. McConnell
George S. Clay	W. L. Hampton, Jr.	John L. McDermott

Lloyd MacDonald	Mel Petry	Dr. B. F. Shields
W. F. McGary	A. W. Pfeiffer	Chester D. Silvers
Elmer McGlothen	J. C. Ramey	Bruce Sloan
John Marshall	Hobart Rayburn	H. C. Steely
Duke Mayfield	L. K. Rice	Dr. H. S. Swope
G. S. Milam	Wade H. Riley	W. R. Tapp
W. H. Miller	Joe E. Robinson	J. J. Thomas
John B. Mollett	John C. Robinson	R. Van Bever, Jr.
W. E. Mull	W. T. Rollo	Joseph L. Wall
Tyler Munford	A. W. Ross	Henry Ward
Rodes K. Myers	Carl Scheben	L. R. Wells
J. C. Nickell	Carl Schneider	W. G. Williams
Russell O'Neill	Ray O. Shehan	Charles Wylie

—84

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 569. An Act creating and establishing as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at Kinnett's School House on Jones Fork in Marion County, Kentucky, and running Northeast about six miles to the Gravel Switch Pike up the North Rolling Fork.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and there now is established as a part of the primary system of highways of the Common-

wealth of Kentucky a road beginning at Kinnett's School House on Jones Fork in Marion County, Kentucky, and running Northeast about six miles to the Gravel Switch Pike up the North Rolling Fork.

§ 2. That the road now established as a part of the primary system of highways of the Commonwealth of Kentucky shall be entitled to all the rights, privileges benefits and conditions of all the laws now in force or which may hereafter be enacted affecting the primary road system.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Herbert Cook	Ira W. Hulette
C. W. Anderson, Jr.	Harry Davis	John M. Hunnicut
H. T. Baker	Sam Dever	Ben W. Johnson
W. T. Baker	Stanley S. Dickson	J. H. Jones
G. M. Ballard	George W. Dunlap	O. C. Jones
B. F. Bedford	Walter R. Fannin	R. T. Kirkman
Reuben J. Boling	James Garnett, Jr.	J. F. Ladd
Ollie J. Bowen	G. W. Garrett	Robert E. Lee
Wallace Brown	Ferd A. Gnau	M. T. McCarthy
Dr. R. A. Byers	Eugene Gough	T. B. McConnell
Jas. C. Carter	Ben Grogan	John L. McDermott
Floyd Clark	C. L. Hammons	Lloyd MacDonald
Roscoe Claxon	W. L. Hampton, Jr.	W. F. McGary
George S. Clay	Thomas W. Hines	Elmer McGlothen
J. A. Coleman	Price Holbrook	John Marshall
Roy Conway	Clyde S. Howard	Duke Mayfield

G. S. Milam	L. K. Rice	H. C. Steely
W. H. Miller	Wade H. Riley	Dr. H. S. Swope
John B. Mollett	Joe E. Robinson	W. R. Tapp
W. E. Mull	John C. Robinson	J. J. Thomas
Tyler Munford	W. T. Rollo	R. Van Bever, Jr.
Rodes K. Myers	A. W. Ross	Joseph L. Wall
J. C. Nickell	Carl Scheben	Henry Ward
Russell O'Neill	Carl Schneider	L. R. Wells
Mel Petry	Ray O. Shehan	W. G. Williams
A. W. Pfeiffer	Dr. B. F. Shields	Charles Wylie
J. C. Ramey	Chester D. Silvers	
Hobart Rayburn	Bruce Sloan	—82

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 570. An Act creating and establishing as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning in Green County, Kentucky, on the Columbia and Greensburg Highway No. 61, at a point near Gresham, Kentucky, and running by way of Ebeneezer Church to Roachville and thence up Meadow Creek to an intersection of the Campbellsville and Columbia Highway at Hatcher, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and there now is established as a part of the primary system of highways of the commonwealth of

Kentucky a road beginning in Green County, Kentucky, on the Columbia and Greensburg Highway No. 61, at a point near Gresham, Kentucky, and running by way of Ebeneezer Church to Roachville and thence up Meadow Creek to an intersection of the Campbellsville and Columbia Highway at Hatcher, Kentucky.

§ 2. That the road now established as a part of the primary system of highways of the Commonwealth of Kentucky shall be entitled to all the rights, privileges, benefits and conditions of all the laws now in force or which may hereafter be enacted affecting the primary road system.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	J. A. Coleman	W. L. Hampton, Jr.
C. W. Anderson, Jr.	Roy Conway	Thomas W. Hines
H. T. Baker	Herbert Cook	Price Holbrook
W. T. Baker	Harry Davis	Clyde S. Howard
G. M. Ballard	Sam Dever	Ira W. Hulette
B. F. Bedford	Stanley S. Dickson	John M. Hunnicut
Reuben J. Boling	George W. Dunlap	Ben W. Johnson
Ollie J. Bowen	Walter R. Fannin	J. H. Jones
Wallace Brown	James Garnett, Jr.	O. C. Jones
Dr. R. A. Byers	G. W. Garrett	R. T. Kirkman
Jas. C. Carter	Ferd A. Gnau	J. F. Ladd
Floyd Clark	Eugene Gough	Robert E. Lee
Roscoe Claxon	Ben Grogan	M. T. McCarthy
George S. Clay	C. L. Hammons	T. B. McConnell

John L. McDermott	Mel Petry	Chester D. Silvers
Lloyd MacDonald	A. W. Pfeiffer	Bruce Sloan
W. F. McGary	J. C. Ramey	H. C. Steely
Elmer McGlothen	Hobart Rayburn	Dr. H. S. Swope
John Marshall	L. K. Rice	W. R. Tapp
Duke Mayfield	Wade H. Riley	J. J. Thomas
G. S. Milam	Joe E. Robinson	R. Van Bever, Jr.
W. H. Miller	John C. Robinson	Joseph L. Wall
John B. Mollett	W. T. Rollo	Henry Ward
W. E. Mull	A. W. Ross	L. R. Wells
Tyler Munford	Carl Scheben	W. G. Williams
Rodes K. Myers	Carl Schneider	Charles Wylie
J. C. Nickell	Ray O. Shehan	
Russell O'Neill	Dr. B. F. Shields	—82

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 571. An Act creating and establishing as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at Federal Highway No. 61 near Milltown, Adair County, Kentucky, via Portland, Picketts Chapel and Mell, intersecting with the Greensburg and Edmonton State Highway at or near Exie, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and there now is established as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at Federal Highway No. 61 near

Milltown, Adair County, Kentucky, via Portland, Picketts Chapel and Mell, intersecting with the Greensburg and Edmonton State Highways at or near Exie, Kentucky.

§ 2. That the road now established as a part of the primary system of highways of the Commonwealth of Kentucky shall be entitled to all the rights, privileges, benefits and conditions of all the laws now in force or which may hereafter be enacted affecting the primary road system.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Sam Dever	O. C. Jones
C. W. Anderson, Jr.	Stanley S. Dickson	R. T. Kirkman
H. T. Baker	George W. Dunlap	J. F. Ladd
W. T. Baker	Walter R. Fannin	Robert E. Lee
G. M. Ballard	James Garnett, Jr.	M. T. McCarthy
B. F. Bedford	G. W. Garrett	T. B. McConnell
Reuben J. Boling	Ferd A. Gnau	John L. McDermott
Ollie J. Bowen	Eugene Gough	Lloyd MacDonald
Wallace Brown	Ben Grogan	W. F. McGary
Dr. R. A. Byers	C. L. Hammons	Elmer McGlothen
Jas. C. Carter	W. L. Hampton, Jr.	John Marshall
Floyd Clark	Thomas W. Hines	Duke Mayfield
Roscoe Claxon	Price Holbrook	G. S. Milam
George S. Clay	Clyde S. Howard	W. H. Miller
J. A. Coleman	Ira W. Hulette	John B. Mollett
Roy Conway	John M. Hunnicut	W. E. Mull
Herbert Cook	Ben W. Johnson	Tyler Munford
Harry Davis	J. H. Jones	Rodes K. Myers

J. C. Nickell
Russell O'Neill
Mel Petry
A. W. Pfeiffer
J. C. Ramey
Hobart Rayburn
L. K. Rice
Wade H. Riley
Joe E. Robinson
John C. Robinson
W. T. Rollo
A. W. Ross
Carl Scheben
Carl Schneider
Ray O. Shehan
Dr. B. F. Shields
Chester D. Silvers
Bruce Sloan
H. C. Steely
Dr. H. S. Swope
W. R. Tapp
J. J. Thomas
R. Van Bever, Jr.
Joseph L. Wall
Henry Ward
L. R. Wells
W. G. Williams
Charles Wylie

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Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 576. An Act establishing as a part of the primary system of highways in this Commonwealth a road leading from the Lincoln birthplace near Hodgenville to Hawesville by way of Knob Creek, Elizabethtown, Mill Creek, Big Spring and Hardinsburg, to be known as the Lincoln Memorial Highway and to provide for making same.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be established as a part of the primary system of highways of this Commonwealth a road leading from Lincoln's birthplace near Hodgenville to Hawesville by way of the Lincoln Home on Knob Creek, Elizabethtown, the home of Lincoln's mother and sister on Mill Creek, Big Spring and Hardinsburg.

§ 2. That the State Highway Commission shall upon the request of the Lincoln Highway Memorial Commission properly mark such highway by appropriate signs.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	James Garnett, Jr.	W. F. McGary
C. W. Anderson, Jr.	G. W. Garrett	Elmer McGlothen
H. T. Baker	Ferd A. Gnau	John Marshall
W. T. Baker	Eugene Gough	Duke Mayfield
G. M. Ballard	Ben Grogan	G. S. Milam
B. F. Bedford	C. L. Hammons	W. H. Miller
Reuben J. Boling	W. L. Hampton, Jr.	John B. Mollett
Douglas Bolling	Thomas W. Hines	W. E. Mull
Wallace Brown	Price Holbrook	Tyler Munford
Dr. R. A. Byers	Clyde S. Howard	Rodes K. Myers
Jas. C. Carter	Ira W. Hulette	J. C. Nickell
V. O. Chandler	John M. Hunnicut	Russell O'Neill
Floyd Clark	Ben W. Johnson	Mel Petry
Roscoe Claxon	J. H. Jones	A. W. Pfeiffer
George S. Clay	O. C. Jones	J. C. Ramey
J. A. Coleman	R. T. Kirkman	Hobart Rayburn
Roy Conway	J. F. Ladd	L. K. Rice
Herbert Cook	Leslie Larrimore	Wade H. Riley
Harry Davis	Robert E. Lee	Joe E. Robinson
Sam Dever	M. T. McCarthy	John C. Robinson
Stanley S. Dickson	T. B. McConnell	W. T. Rollo
George W. Dunlap	John L. McDermott	A. W. Ross
Walter R. Fannin	Lloyd MacDonald	Carl Scheben

Carl Schneider	H. C. Steely	Joseph L. Wall
Ray O. Shehan	Dr. H. S. Swope	Henry Ward
Dr. B. F. Shields	W. R. Tapp	L. R. Wells
Chester D. Silvers	J. J. Thomas	W. G. Williams
Bruce Sloan	R. Van Bever, Jr.	Charles Wylie

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Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a resolution entitled:

H. Res. 7. Resolution authorizing Mrs. Joe A. Westerfield, personal representative of Joe A. Westerfield, deceased, to sue the Commonwealth of Kentucky and the State Highway Commission.

Said bill is as follows, viz.:

Whereas, The State Highway Commission of Kentucky constructed a public highway on Project No. 11 in Ohio County, Kentucky, which work was begun in May, 1925, and completed during said year, and

Whereas, Said grade and drain of said road as constructed by Ellis and Smeathers, contractors, employed by the State Highway Commission of the Commonwealth of Kentucky, and

Whereas, Said contractors acting pursuant to their contract with the State Highway Commission of Kentucky, removed from the old embankment four hundred and ten (410) feet, of open and only put in one hundred and thirty (130) feet in the road as constructed, and

Whereas, Said grade and drain was so negligently and carelessly constructed and maintained as not to have a sufficient of openings in the levee thereby causing the water accumulating on the north of the levee to run through the small opening with force as to injure and damage the lands owned by Joe A. Westerfield on south side of said levee and adjacent to it, and

Whereas, By reason of said negligent construction and maintenance the lands owned by Joe A. Westerfield on the south side of said road and adjacent to it were greatly injured and damaged by the waters concentrating in these small openings with such force as to wash and damage the lands owned by Joe A. Westerfield over which it was forced to go, thereby changing the natural course of the water and not giving sufficient openings for the water to pass through the levee without injury to the land on the south side of said levee, and

Whereas, The lands owned by said Joe A. Westerfield have been greatly damaged by the negligent construction and maintenance of said road, and

Whereas, The said Mrs. Joe A. Westerfield alleges and claims that said damage and injury to his lands was caused entirely by the negligence and carelessness of the State Highway Commission, its agents and employees in the construction and maintenance of said road, and

Whereas, If the said injury and damage to said land was caused by the negligence and carelessness of the said Highway Commission, its agents and employees the said Mrs. Joe A. Westerfield, the personal representative of Joe A. Westerfield, deceased, should be compensated for the damages done to his said lands: Therefore,

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Mrs. Joe A. Westerfield be and she is hereby authorized and permitted to sue the Commonwealth of Kentucky and the State Highway Commission of Kentucky, in the

Ohio Circuit Court for such damage as he may have sustained if any, by reason of any injury or damage to his lands through the carelessness or negligence of the State Highway Commission of Kentucky, its agents or employees, and in the event any judgment is recovered by the said Mrs. Joe A. Westerfield in said suit for damage to Joe A. Westerfield's lands, same shall be paid by the Auditor by warrant on the Treasurer.

§ 2. Either party to said suit may appeal from any judgment which may be rendered in the Ohio Circuit Court to the Court of Appeals and the case may be settled and adjusted with the consent of the Attorney General of Kentucky in the same way as any other civil case.

Ordered, that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	J. A. Coleman	Ferd A. Gnau
C. W. Anderson, Jr.	Roy Conway	Eugene Gough
H. T. Baker	Herbert Cook	Ben Grogan
B. F. Bedford	Harry Davis	C. L. Hammons
Reuben J. Boling	Sam Dever	W. L. Hampton, Jr.
Ollie J. Bowen	Stanley S. Dickson	Thomas W. Hines
Wallace Brown	George W. Dunlap	Price Holbrook
Dr. R. A. Byers	Howard G. Early	Clyde S. Howard
Jas. C. Carter	Walter R. Fannin	Ira W. Hulette
Floyd Clark	T. P. Fitzpatrick	John M. Hunnicut
Roscoe Claxon	James Garnett, Jr.	Ben W. Johnson
George S. Clay	G. W. Garrett	J. H. Jones

O. C. Jones	Russell O'Neill	P. L. Sidebottom
R. T. Kirkman	A. W. Pfeiffer	Chester D. Silvers
J. F. Ladd	J. C. Ramey	Bruce Sloan
Robert E. Lee	Hobart Rayburn	H. C. Steely
John L. McDermott	Harry C. Records	Dr. H. S. Swope
Lloyd MacDonald	L. K. Rice	W. R. Tapp
W. F. McGary	Wade H. Riley	R. Van Bever, Jr.
Elmer McGlothen	John C. Robinson	Joseph L. Wall
G S. Milam	W. T. Rollo	Henry Ward
W. H. Miller	A. W. Ross	L. R. Wells
John B. Mollett	Carl Scheben	W. G. Williams
W. E. Mull	Carl Schneider	Charles Wylie
Tyler Munford	Ray O. Shehan	
J. C. Nickell	Dr. B. F. Shields	—76

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a resolution entitled:

H. Res. 8. Resolution authorizing Francis Phelps to sue the Commonwealth of Kentucky and the State Highway Commission, or either.

Said resolution is as follows, viz.:

Whereas, on the 14th day of December, 1935, Francis Phelps was traveling on the Mayo Trail near Hager Hill, Kentucky, and whilst traveling upon said Mayo Trail he had a collision with a large truck, and that said collision was caused by the carelessness of the driver of said truck, in that he was traveling at an excessive rate of speed and on the

wrong side of the road and that said accident took place on a sharp curve;

Whereas, the Ford car, 1936 Model, being driven by the said Francis Phelph was damaged in the sum of $125.00, by reason of the collision, etc.;

Whereas, the truck herein mentioned was and is the property of the State of Kentucky, and was being used and operated at the time herein mentioned by the employees of the State Highway Commission in the performance of their duties:

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

That Francis Phelps, and he is hereby authorized and permitted to sue the Commonwealth of Kentucky and the State Highway Commission, or either, in the Circuit Court in the county of his residence for such damages as he may have suffered, if any, by reason of the collision and negligence of the employees of the State Highway Commission. Said suit shall not be for an amount exceeding the sum of $125.00, and in the event any judgment is recovered by the said Phelps in said suit for damages to himself, or same is compromised or settled, same shall be paid by the Auditor of Public Accounts by warrant drawn on the State Treasurer, and paid out of the General Fund.

Ordered, that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	H. T. Baker	Reuben J. Boling
C. W. Anderson, Jr.	B. F. Bedford	Ollie J. Bowen

Wallace Brown	Thomas W. Hines	J. C. Ramey
Dr. R. A. Byers	Price Holbrook	Hobart Rayburn
Jas. C. Carter	Clyde S. Howard	Harry C. Records
Floyd Clark	Ira W. Hulette	L. K. Rice
Roscoe Claxon	John M. Hunnicut	Wade H. Riley
George S. Clay	Ben W. Johnson	John C. Robinson
J. A. Coleman	J. H. Jones	W. T. Rollo
Roy Conway	O. C. Jones	A. W. Ross
Herbert Cook	R. T. Kirkman	Carl Scheben
Harry Davis	J. F. Ladd	Carl Schneider
Sam Dever	Robert E. Lee	Ray O. Shehan
Stanley S. Dickson	John L. McDermott	Dr. B. F. Shields
George W. Dunlap	Lloyd MacDonald	P. L. Sidebottom
Howard G. Early	W. F. McGary	Chester D. Silvers
Walter R. Fannin	Elmer McGlothen	Bruce Sloan
T. P. Fitzpatrick	G. S. Milam	H. C. Steely
James Garnett, Jr.	W. H. Miller	Dr. H. S. Swope
G. W. Garrett	John B. Mollett	W. R. Tapp
Ferd A. Gnau	W. E. Mull	R. Van Bever, Jr.
Eugene Gough	Tyler Munford	Joseph L. Wall
Ben Grogan	J. C. Nickell	Henry Ward
C. L. Hammons	Russell O'Neill	L. R. Wells
W. L. Hampton, Jr.	A. W. Pfeiffer	Charles Wylie

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Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a resolution entitled:

H. Res. 20. Resolution authorizing Carl Wright, administrator of the estate of Otis Wilson Wright, deceased, to sue

the Commonwealth of Kentucky, the State Highway Commission and the County of Carroll, or any one or more of them.

Said resolution is as follows, viz.:

Whereas, on the 21st day of February, 1933, Otis Wilson Wright of Bedford, Trimble County, Kentucky, was killed while driving a truck over a bridge on the Milton-Carrollton road in Carroll County, Kentucky.

Whereas, said road had been taken over by the State Highway Commission of the State of Kentucky and specifications had been made at that time by the agents and employees of said State Highway Commission for the construction of a road along said route, and that said road and bridge was under the control of the State Highway Commission of the Commonwealth of Kentucky; that while the truck driven by the said Otis Wilson Wright, now deceased, was going over said bridge on the road on the Milton-Carrollton road, said bridge collapsed precipitating said Otis Wilson Wright into a stream of water, and said deceased thereby lost his life.

Whereas, Carl Wright is the father of said Otis Wilson Wright, who was of the age of ..... years at the time of his death, that said Carl Wright, has duly qualified as the personal representative of the estate of Otis Wilson Wright in the Trimble County Court, where he, Otis Wilson Wright, resided during his lifetime.

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Carl Wright, administrator of the estate of Otis Wilson Wright, deceased, be and he is hereby authorized and permitted to sue the Commonwealth of Kentucky, the State Highway Commission and Carroll County, or any one or more of them, in the Circuit Court of Carroll County, Kentucky, for such damages as he suffered by reason of the death of said Otis Wilson Wright through the carelessness or neg-

ligence of the State Highway Commission, its agents or employees or through the carelessness or negligence of Carroll County, its agents or employees. Said suit shall be for any amount not exceeding the sum of Ten Thousand Dollars ($10,000.00), and in the event any judgment is recovered by said Carl Wright, administrator, in said suit for the death of said Otis Wilson Wright, or same is compromised or settled, same shall be paid by the Auditor of Public Accounts by Warrant drawn on the State Treasurer and paid out of the general fund, or paid by the County of Carroll by order of the Fiscal Court drawn on the county treasurer of said county.

Either party to said suit may appeal from any judgment which may be entered therein as in any other civil suit and the case may be settled and adjusted with the consent and approval of the Attorney General of Kentucky in the same way as any other civil suit.

Ordered, that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Floyd Clark	George W. Dunlap
C. W. Anderson, Jr.	Roscoe Claxon	Howard G. Early
H. T. Baker	George S Clay	Walter R. Fannin
B. F. Bedford	J. A. Coleman	T. P. Fitzpatrick
Reuben J. Boling	Roy Conway	James Garnett, Jr.
Ollie J. Bowen	Herbert Cook	G. W. Garrett
Wallace Brown	Harry Davis	Ferd A. Gnau
Dr. R. A. Byers	Sam Dever	Eugene Gough
Jas. C. Carter	Stanley S. Dickson	Ben Grogan

C. L. Hammons	Elmer McGlothen	A. W. Ross
W. L. Hampton, Jr.	G. S. Milam	Carl Scheben
Thomas W. Hines	W. H. Miller	Carl Schneider
Price Holbrook	John B. Mollett	Ray O. Shehan
Clyde S. Howard	W. E. Mull	Dr. B. F. Shields
Ira W. Hulette	Tyler Munford	P. L. Sidebottom
John M. Hunnicut	J. C. Nickell	Chester D. Silvers
Ben W. Johnson	Russell O'Neill	Bruce Sloan
J. H. Jones	A. W. Pfeiffer	H. C. Steely
O. C. Jones	J. C. Ramey	Dr. H. S. Swope
R. T. Kirkman	Hobart Rayburn	W. R. Tapp
J. F. Ladd	Harry C. Records	R. Van Bever, Jr.
Robert E. Lee	L. K. Rice	Joseph L. Wall
John L. McDermott	Wade H. Riley	Henry Ward
Lloyd MacDonald	John C. Robinson	L. R. Wells
W. F. McGary	W. T. Rollo	Charles Wylie

—75

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a resolution entitled:

H. Res. 23. Resolution authorizing Rev. J. L. Madison, the father of Gladys M. Madison, deceased, to file suit against the Commonwealth of Kentucky for damages for the death of said Gladys M. Madison, deceased.

Said resolution is as follows, viz.:

Whereas, on December 13, 1926, the Dormitory for Girls of the Kentucky Industrial College of Frankfort, Kentucky, was destroyed by fire; and

Whereas, said Gladys M. Madison, one of the students of said College, was burned to death in said building; and

Whereas, J. L. Madison, her father, is a minister of the Gospel and a poor man, and is getting old: Now, therefore,

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

That J. L. Madison, the father of the deceased Gladys M. Madison, be and he is hereby authorized to file suit and prosecute appropriate action in the Franklin Circuit Court against the Commonwealth of Kentucky for the purpose of determining the amount of damages, if any, he may be entitled to recover by reason of loss he has suffered by the untimely death of his daughter, Gladys M. Madison.

Ordered, that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Herbert Cook	W. L. Hampton, Jr.
C. W. Anderson, Jr.	Harry Davis	Thomas W. Hines
H. T. Baker	Sam Dever	Price Holbrook
B. F. Bedford	Stanley S. Dickson	Clyde S. Howard
Reuben J. Boling	George W. Dunlap	Ira W. Hulette
Ollie J. Bowen	Howard G. Early	John M. Hunnicut
Wallace Brown	Walter R. Fannin	Ben W. Johnson
Dr. R. A. Byers	T. P. Fitzpatrick	J. H. Jones
Jas. C. Carter	James Garnett, Jr.	O. C. Jones
Floyd Clark	G. W. Garrett	R. T. Kirkman
Roscoe Claxon	Ferd A. Gnau	J. F. Ladd
George S. Clay	Eugene Gough	Robert E. Lee
J. A. Coleman	Ben Grogan	John L. McDermott
Roy Conway	C. L. Hammons	Lloyd MacDonald

W. F. McGary	Hobart Rayburn	P. L. Sidebottom
Elmer McGlothen	Harry C. Records	Chester D. Silvers
G. S. Milam	L. K. Rice	Bruce Sloan
W. H. Miller	Wade H. Riley	H. C. Steely
John B. Mollett	John C. Robinson	Dr. H. S. Swope
W. E. Mull	W. T. Rollo	W. R. Tapp
Tyler Munford	A. W. Ross	R. Van Bever, Jr.
J. C. Nickell	Carl Scheben	Joseph L. Wall
Russell O'Neill	Carl Schneider	Henry Ward
A. W. Pfeiffer	Ray O. Shehan	L. R. Wells
J. C. Ramey	Dr. B. F. Shields	Charles Wylie

—75

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a resolution entitled:

H. Res. 25. Resolution authorizing the personal representative of Sarah Marks and Gladys Madison and Daisy Carter, to sue the Commonwealth for damages for the death of said women who lost their lives in the State Normal School at Frankfort.

Said resolution is as follows, viz.:

Whereas, on December 13, 1926, the dormitory for girls at the Kentucky Normal and Industrial College for colored persons near Frankfort, Kentucky, was destroyed by fire; and,

Whereas, Daisy Carter, and Gladys Madison, and Sarah Marks, and Annie May Pennington, each lost her life in said fire; and,

Whereas, the family of each one named are worthy poor persons; and,

Whereas, the General Assembly of 1930 has already authorized a suit to be filed for the death of said Annie May Pennington: Now, Therefore,

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

That the personal representative of Sarah Marks, daughter of E. K. Marks of Fayette County, Kentucky; and the personal representative of Gladys Madison, daughter of J. L. Madison of Wayne County, Kentucky; and the personal representative of Daisy Carter, daughter of John Carter of Anderson County, Kentucky, be, and each of them is hereby, empowered and authorized to file suit and to prosecute appropriate actions against the Commonwealth of Kentucky for the purpose of determining the liability of the Commonwealth for such death, if any liability there should be established. In the event of judgment, same shall be paid by the Auditor of Public Accounts by warrant drawn on the State Treasurer. Such action may be brought in the Franklin Circuit Court, the county where said fire occurred, and all parties shall have the right of appeal as in other civil cases.

Ordered, that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	H. T. Baker	Reuben J. Boling
C. W. Anderson, Jr.	B. F. Bedford	Ollie J. Bowen

Wallace Brown	Thomas W. Hines	J. C. Ramey
Dr. R. A. Byers	Price Holbrook	Hobart Rayburn
Jas. C. Carter	Clyde S. Howard	Harry C. Records
Floyd Clark	Ira W. Hulette	L. K. Rice
Roscoe Claxon	John M. Hunnicut	Wade H. Riley
George S. Clay	Ben W. Johnson	John C. Robinson
J. A. Coleman	J. H. Jones	W. T. Rollo
Roy Conway	O. C. Jones	A. W. Ross
Herbert Cook	R. T. Kirkman	Carl Scheben
Harry Davis	J. F. Ladd	Carl Schneider
Sam Dever	Robert E. Lee	Ray O. Shehan
Stanley S. Dickson	John L. McDermott	Dr. B. F. Shields
George W. Dunlap	Lloyd MacDonald	P. L. Sidebottom
Howard G. Early	W. F. McGary	Chester D. Silvers
Walter R. Fannin	Elmer McGlothen	Bruce Sloan
T. P. Fitzpatrick	G. S. Milam	H. C. Steely
James Garnett, Jr.	W. H. Miller	Dr. H. S. Swope
G. W. Garrett	John B. Mollett	W. R. Tapp
Ferd A. Gnau	W. E. Mull	R. Van Bever, Jr.
Eugene Gough	Tyler Munford	Joseph L. Wall
Ben Grogan	J. C. Nickell	Henry Ward
C. L. Hammons	Russell O'Neill	L. R. Wells
W. L. Hampton, Jr.	A. W. Pfeiffer	Charles Wylie

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Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a resolution entitled:

H. Res. 29. Resolution authorizing Ben Wiley, an infant, by his Guardian or next friend and Barner Wiley, the father

of said Ben Wiley, to sue the Commonwealth of Kentucky and the State Highway Commission or either.

Said resolution is as follows, viz.:

Whereas, on the 18th day of March, 1935, Ben Wiley of Warren County, Kentucky, was riding upon a two-horse wagon in company with his father, the said Barner Wiley, and an uncle and while traveling along and upon the State Highway or road known as the Bowling Green-Morgantown Road and about three miles west of Bowling Green at the Jennings Creek Bridge when a road scraper being the property of the State of Kentucky and being used and operated at the time by the employees of the State Highway Commission in the performance of their duties was so negligently and carelessly operated as to be permitted to get out of control and strike said wagon and the said Ben Wiley; and

Whereas, the said Wiley's pelvis bone and legs were broken and he suffered other serious wounds about his head, body and person and that he was painfully and permanently injured, disabling and incapacitating him from manual labor for the remainder of his life; and,

Whereas, the said Ben Wiley is now 14 years of age and is unable because of his said injuries to do any labor and that he was permanently crippled and was further required to expend the sum of Five Hundred Dollars ($500.00) for medical attention and was confined to the Bowling Green City Hospital for 10 weeks and required to pay hospital and medical bills in the sum of Five Hundred Dollars ($500.00), and whereas, he suffered great mental and bodily pain and anguish and is permanently crippled by reason of one leg being shorter than the other; and,

Whereas, he has sustained these serious and permanent injuries and suffered great mental pain and anguish by reason of the alleged carelessness and negligence of the employees

of the State Highway Commission in the conduct of the State's business: Therefore,

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the said Ben Wiley be and he is hereby authorized and permitted to sue by his Guardian or next friend and that his father, Barner Wiley, be permitted to sue the Commonwealth of Kentucky and the State Highway Commission or either in the Circuit Court of the County of his residence for such damages and for such mental pain and anguish as he may have suffered, if any, by reason of any injury received by him through the carelessness or negligence of the State Highway Commission, its agents or employees. Said suit shall be for any amount not exceeding the sum of Ten Thousand Dollars ($10,000.00) and in the event any judgment is recovered by said Wiley in said suit for injuries to himself or same is compromised or settled, same shall be paid by the Auditor of Public Accounts by warrant drawn on the State Treasurer and paid out of the General Fund.

§ 2. Either party to said suit may appeal from any judgment which may be entered therein as in any other civil suit, and the case may be settled and adjusted with the consent and approval of the Attorney General of Kentucky in the same way as any other civil case.

Ordered, that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen C. W. Anderson, Jr. H. T. Baker

B. F. Bedford	C. L. Hammons	A. W. Pfeiffer
Reuben J. Boling	W. L. Hampton, Jr.	J. C. Ramey
Ollie J. Bowen	Thomas W. Hines	Hobart Rayburn
Wallace Brown	Price Holbrook	Harry C. Records
Dr. R. A. Byers	Clyde S. Howard	L. K. Rice
Jas. C. Carter	Ira W. Hulette	Wade H. Riley
Floyd Clark	John M. Hunnicut	John C. Robinson
Roscoe Claxon	Ben W. Johnson	W. T. Rollo
George S. Clay	J. H. Jones	A. W. Ross
J. A. Coleman	O. C. Jones	Carl Scheben
Roy Conway	R. T. Kirkman	Carl Schneider
Herbert Cook	J. F. Ladd	Ray O. Shehan
Harry Davis	Robert E. Lee	Dr. B. F. Shields
Sam Dever	John L. McDermott	P. L. Sidebottom
Stanley S. Dickson	Lloyd MacDonald	Chester D. Silvers
George W. Dunlap	W. F. McGary	Bruce Sloan
Howard G. Early	Elmer McGlothen	H. C. Steely
Walter R. Fannin	G. S. Milam	Dr. H. S. Swope
T. P. Fitzpatrick	W. H. Miller	W. R. Tapp
James Garnett, Jr.	John B. Mollett	R. Van Bever, Jr.
G. W. Garrett	W. E. Mull	Joseph L. Wall
Ferd A. Gnau	Tyler Munford	Henry Ward
Eugene Gough	J. C. Nickell	L. R. Wells
Ben Grogan	Russell O'Neill	Charles Wylie

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Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a resolution entitled:

H. Res. 31. Resolution, authorizing Archie C. Miller to

sue the Commonwealth of Kentucky and the State Highway Commission.

Said resolution is as follows, viz.:

Whereas, the State Highway Commission constructed that part of State Highway No. 71 within the corporate limits of the city of Beaver Dam in the year 1934;

Whereas, the said Highway Commission, its agents or employees did raise the levee 18 inches above the old levee;

Whereas, insufficient openings were made in the said levee to carry the water accumulating above the said levee, causing it to dam up;

Whereas, this dammed up water accumulated on the grounds of the building of the said Archie C. Miller, thereby causing the said Archie C. Miller to suffer damage and inconvenience:

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

That the said Archie C. Miller is hereby granted the privilege to sue the Commonwealth of Kentucky and the State Highway Commission for such damages as he may have sustained. This action may be taken in the Ohio Circuit Court, and in the case of any judgment is recovered by the said Archie C. Miller in the said suit, the same shall be paid by the Treasurer of the Commonwealth of Kentucky on a warrant from the Auditor.

Either party to said suit may appeal from any judgment rendered therein and the case may be settled and adjusted with the consent and approval of the Attorney General of the State of Kentucky in the same way as any other civil case.

Ordered, that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Eugene Gough	Russell O'Neill
C. W. Anderson, Jr.	Ben Grogan	A. W. Pfeiffer
H. T. Baker	C. L. Hammons	J. C. Ramey
B. F. Bedford	W. L. Hampton, Jr.	Hobart Rayburn
Reuben J. Boling	Thomas W. Hines	Harry C. Records
Ollie J. Bowen	Price Holbrook	L. K. Rice
Wallace Brown	Clyde S. Howard	Wade H. Riley
Dr. R. A. Byers	Ira W. Hulette	John C. Robinson
Jas. C. Carter	John M. Hunnicut	W. T. Rollo
Floyd Clark	Ben W. Johnson	A. W. Ross
Roscoe Claxon	J. H. Jones	Carl Scheben
George S. Clay	O. C. Jones	Carl Schneider
J. A. Coleman	R. T. Kirkman	Ray O. Shehan
Roy Conway	J. F. Ladd	Dr. B. F. Shields
Herbert Cook	Robert E. Lee	P. L. Sidebottom
Harry Davis	John L. McDermott	Chester D. Silvers
Sam Dever	Lloyd MacDonald	Bruce Sloan
Stanley S. Dickson	W. F. McGary	H. C. Steely
George W. Dunlap	Elmer McGlothen	Dr. H. S. Swope
Howard G. Early	G. S. Milam	W. R. Tapp
Walter R. Fannin	W. H. Miller	R. Van Bever, Jr.
T. P. Fitzpatrick	John B. Mollett	Joseph L. Wall
James Garnett, Jr.	W. E. Mull	Henry Ward
G. W. Garrett	Tyler Munford	L. R. Wells
Ferd A. Gnau	J. C. Nickell	Charles Wylie

—75

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a resolution entitled:

H. Res. 33. Resolution authorizing William Cox to sue the Commonwealth of Kentucky and the State Highway Commission, or either.

Said resolution is as follows, viz.:

Whereas, on or about the seventeenth day of May, 1933, William Cox, a resident of Cooper, Wayne County, Kentucky, was run over and injured on the highway leading from Monticello to Cooper, in Wayne County, Kentucky, wherein it is claimed that while the said William Cox was walking the highway he was struck and injured, both of his legs being broken, and receiving other injuries, by a truck operated by one of the employees of the State Highway Commission, in a very careless, negligent and reckless manner, the employee driving the truck at an excessive rate of speed, on the wrong and improper side of the road, and while he was in an intoxicated condition: Therefore,

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

That William Cox be, and he is hereby, authorized and permitted to sue the Commonwealth of Kentucky and the State Highway Commission, or either, in the Wayne Circuit Court, the county of the residence of said William Cox, for damages for the loss of earning power, physical suffering, and for hospital and medical bills of the said William Cox, which were all brought about and caused by the negligence of the employee of the State Highway Commission. Said suit shall be for any amount not exceeding the sum of six thousand ($6,000.00) dollars, and in the event any judgment is recovered by said William Cox in said suit for injuries to himself, or same is compromised or settled, said judgment shall be paid by the Auditor of Public Accounts by warrant drawn on the State Treasurer and paid out of the General Fund.

Either party to said suit may appeal from any judgment which may be entered therein as in any other civil suit, and the case may be settled and adjusted with the consent and approval of the Attorney General of Kentucky in the same way as any other civil case.

Ordered that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Walter R. Fannin	John L. McDermott
C. W. Anderson, Jr.	T. P. Fitzpatrick	Lloyd MacDonald
H. T. Baker	James Garnett, Jr.	W. F. McGary
B. F. Bedford	G. W. Garrett	Elmer McGlothen
Reuben J. Boling	Ferd A. Gnau	G. S. Milam
Ollie J. Bowen	Eugene Gough	W. H. Miller
Wallace Brown	Ben Grogan	John B. Mollett
Dr. R. A. Byers	C. L. Hammons	W. E. Mull
Jas. C. Carter	W. L. Hampton, Jr.	Tyler Munford
Floyd Clark	Thomas W. Hines	J. C. Nickell
Roscoe Claxon	Price Holbrook	Russell O'Neill
George S. Clay	Clyde S. Howard	A. W. Pfeiffer
J. A. Coleman	Ira W. Hulette	J. C. Ramey
Roy Conway	John M. Hunnicut	Hobart Rayburn
Herbert Cook	Ben W. Johnson	Harry C. Records
Harry Davis	J. H. Jones	L. K. Rice
Sam Dever	O. C. Jones	Wade H. Riley
Stanley S. Dickson	R. T. Kirkman	John C. Robinson
George W. Dunlap	J. F. Ladd	W. T. Rollo
Howard G. Early	Robert E. Lee	A. W. Ross

Carl Scheben	Chester D. Silvers	R. Van Bever, Jr.
Carl Schneider	Bruce Sloan	Joseph L. Wall
Ray O. Shehan	H. C. Steely	Henry Ward
Dr. B. F. Shields	Dr. H. S. Swope	L. R. Wells
P. L. Sidebottom	W. R. Tapp	Charles Wylie

—75

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a resolution entitled:

H. Res. 34. Resolution authorizing Ohio County to sue the State Road Commission and the Commonwealth of Kentucky.

Said resolution is as follows, viz.:

Whereas, the legal voters of Ohio County, Kentucky, on the 3rd day of March, 1923, voted a road and bridge bond authorizing a bi-partisan commission named, to contract indebtedness of $300,000.00 for the construction of highways and bridges in said county; and,

Whereas, said commission, together with the fiscal court, issued bond in the sum of $300,000.00, and said bonds, after due publication, were sold to the highest and best bidder; were purchased by Caldwell & Company, of Nashville, Tennessee, whose bid was 101, and the further agreement to pay 5% on the daily balance of said sum; and,

Whereas, the principal and interest accumulated on said sum, amounting in the aggregate of $334,725.66, which, from time to time was withdrawn by the State Highway Commis-

sion, or their agents, leaving an amount over and above said sum of $5,500.00 which was later withdrawn by the officials of Ohio County, Kentucky, and placed in the sinking fund for the purpose of redeeming coupons on said road and bridge bonds; and,

Whereas, the sinking fund or any funds in the hands of Caldwell & Company which was in excess of $300,000.00 constitutes a part of the sinking fund for the redemption of bonds and coupons, and as such was inviolate; and,

Whereas, the said Ohio county, by and through its agent Gilmore Keown, has demanded a refund of both the State Treasury and the State Highway Commission, and that the State Treasury and Elam Huddleston has likewise demanded refund to said Ohio County of $34,725.66:

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Ohio County, Kentucky, be, and it is hereby, authorized and permitted to sue the State Highway Commission and the Commonwealth of Kentucky in the Franklin Circuit Court for such interest as may be due on account of the premises hereof and in the event of the recovery by said Ohio County, Kentucky, in said suit, or, upon the presentation of the facts and agreements of the parties or their agents, said amount shall be paid by the State of Kentucky by warrant on the Treasury but without an execution being issued, but the judgment or payment shall, in no event exceed the sum of $34,725.66, and legal interest thereon, from January 1, 1928, to date of payment, and in the event of disagreement or exception to a judgment.

§ 2. Either party shall have the right to appeal as in any other civil case.

Ordered that said resolution be read the third time.

The Constitutional provision as to the third reading of

said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Eugene Gough	Russell O'Neill
C. W. Anderson, Jr.	Ben Grogan	A. W. Pfeiffer
H. T. Baker	C. L. Hammons	J. C. Ramey
B. F. Bedford	W. L. Hampton, Jr.	Hobart Rayburn
Reuben J. Boling	Thomas W. Hines	Harry C. Records
Ollie J. Bowen	Price Holbrook	L. K. Rice
Wallace Brown	Clyde S. Howard	Wade H. Riley
Dr. R. A. Byers	Ira W. Hulette	John C. Robinson
Jas. C. Carter	John M. Hunnicut	W. T. Rollo
Floyd Clark	Ben W. Johnson	A. W. Ross
Roscoe Claxon	J. H. Jones	Carl Scheben
George S. Clay	O. C. Jones	Carl Schneider
J. A. Coleman	R. T. Kirkman	Ray O. Shehan
Roy Conway	J. F. Ladd	Dr. B. F. Shields
Herbert Cook	Robert E. Lee	P. L. Sidebottom
Harry Davis	John L. McDermott	Chester D. Silvers
Sam Dever	Lloyd MacDonald	Bruce Sloan
Stanley S. Dickson	W. F. McGary	H. C. Steely
George W. Dunlap	Elmer McGlothen	Dr. H. S. Swope
Howard G. Early	G. S. Milam	W. R. Tapp
Walter R. Fannin	W. H. Miller	R. Van Bever, Jr.
T. P. Fitzpatrick	John B. Mollett	Joseph L. Wall
James Garnett, Jr.	W. E. Mull	Henry Ward
G. W. Garrett	Tyler Munford	L. R. Wells
Ferd A. Gnau	J. C. Nickell	Charles Wylie

—75

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said resolution

was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a resolution entitled:

H. Res. 35. Resolution authorizing Andy Hunter and Mathew Hunter to sue the Commonwealth of Kentucky and the State Highway Commission, or either or both.

Said resolution is as follows, viz.:

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Andy Hunter and Mathew Hunter be and they are hereby empowered and authorized to file and prosecute appropriate actions, severally and respectively, against the Commonwealth of Kentucky and the State Highway Commission, or either, or both, for the purpose of determining the liability of the Commonwealth of Kentucky and the State Highway Commission, or either, for such injury and death, if any there be; and injury to person or property, if any there be; and in the event any judgment in either action is recovered by said Andy Hunter or Mathew Hunter or their representatives, or either of them, or same is compromised or settled, same shall be paid by the Auditor of Public Accounts by warrant drawn on the State Treasurer and paid out of the general fund.

§ 2. Either party to any such suit may appeal from any judgment which may be entered therein as in any other civil suit and the case may be settled and adjusted with the consent and approval of the Attorney General of Kentucky, in the same way as any other civil case.

§ 3. Said action may be brought in any county of Kentucky, having jurisdiction of the parties and subject matter.

Ordered that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen
C. W. Anderson, Jr.
H. T. Baker
B. F. Bedford
Reuben J. Boling
Ollie J. Bowen
Wallace Brown
Dr. R. A. Byers
Jas. C. Carter
Floyd Clark
Roscoe Claxon
George S. Clay
J. A. Coleman
Roy Conway
Herbert Cook
Harry Davis
Sam Dever
Stanley S. Dickson
George W. Dunlap
Howard G. Early
Walter R. Fannin
T. P. Fitzpatrick
James Garnett, Jr.
G. W. Garrett
Ferd A. Gnau
Eugene Gough
Ben Grogan
C. L. Hammons
W. L. Hampton, Jr.
Thomas W. Hines
Price Holbrook
Clyde S. Howard
Ira W. Hulette
John M. Hunnicut
Ben W. Johnson
J. H. Jones
O. C. Jones
R. T. Kirkman
J. F. Ladd
Robert E. Lee
John L. McDermott
Lloyd MacDonald
W. F. McGary
Elmer McGlothen
G. S. Milam
W. H. Miller
John B. Mollett
W. E. Mull
W. E. Mull
Tyler Munford
J. C. Nickell
Russell O'Neill
A. W. Pfeiffer
J. C. Ramey
Hobart Rayburn
Harry C. Records
L. K. Rice
Wade H. Riley
John C. Robinson
W. T. Rollo
A. W. Ross
Carl Scheben
Carl Schneider
Ray O. Shehan
Dr. B. F. Shields
P. L. Sidebottom
Chester D. Silvers
Bruce Sloan
H. C. Steely
Dr. H. S. Swope
W. R. Tapp
R. Van Bever, Jr.
Joseph L. Wall
Henry Ward
L. R. Wells
Charles Wylie

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Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a resolution entitled:

H. Res. 36. Resolution authorizing R. T. Humphreys to file suit against the Commonwealth of Kentucky and the State Highway Commission or either.

Said resolution is as follows, viz.:

Whereas, In 1935 while employed by the State Highway Department, R. T. Humphries was seriously injured while so employed and engaged in his duties with the Highway Department and through negligence on the part of the said Department, Therefore

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

That R. T. Humphries be and he is hereby authorized and permitted to sue the Commonwealth of Kentucky and the State Highway Commission, or either of them, in the Circuit Court of the county of his residence for such damages as he may have suffered, if any, by reason of any injury received by him through the carelessness or negligence of the State Highway Commission, as aforesaid, provided any such action shall be instituted within one year from the date this Resolution becomes effective.

Ordered that said resolution be read the third time.

The Constitutional provision as to the third reading of

said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Ben Grogan	A. W. Pfeiffer
C. W. Anderson, Jr.	C. L. Hammons	J. C. Ramey
H. T. Baker	W. L. Hampton, Jr.	Hobart Rayburn
B. F. Bedford	Thomas W. Hines	Harry C. Records
Reuben J. Boling	Price Holbrook	L. K. Rice
Ollie J. Bowen	Clyde S. Howard	Wade H. Riley
Wallace Brown	Ira W. Hulette	John C. Robinson
Dr. R. A. Byers	John M. Hunnicut	W. T. Rollo
Jas. C. Carter	Ben W. Johnson	A. W. Ross
Floyd Clark	J. H. Jones	Carl Scheben
Roscoe Claxon	O. C. Jones	Carl Schneider
George S. Clay	R. T. Kirkman	Ray O. Shehan
J. A. Coleman	J. F. Ladd	Dr. B. F. Shields
Roy Conway	Robert E. Lee	P. L. Sidebottom
Herbert Cook	John L. McDermott	Chester D. Silvers
Harry Davis	Lloyd MacDonald	Bruce Sloan
Sam Dever	W. F. McGary	H. C. Steely
Stanley S. Dickson	Elmer McGlothen	Dr. H. S. Swope
George W. Dunlap	G. S. Milam	W. R. Tapp
Walter R. Fannin	W. H. Miller	R. Van Bever, Jr.
T. P. Fitzpatrick	John B. Mollett	Joseph L. Wall
James Garnett, Jr.	W. E. Mull	Henry Ward
G. W. Garrett	Tyler Munford	L. R. Wells
Ferd A. Gnau	J. C. Nickell	Charles Wylie
Eugene Gough	Russell O'Neill	

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Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said resolution

was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a resolution entitled:

H. Res. 39. Resolution for the relief of Cecil Pennington, Sheriff of Elliott County, Kentucky, for mileage and expenses incurred by him as agent for the Commonwealth of Kentucky.

Said resolution is as follows, viz.:

Whereas, Cecil Pennington on August 9, 1934, was duly appointed by the Governor of the Commonwealth of Kentucky as agent of the Commonwealth to go to Burley, Idaho, to present requisition papers of this Commonwealth to the Governor of Idaho and to bring back Joe Middleton, a fugitive from the justice of this State, under indictment for murder in Elliott County, Kentucky, and

Whereas, Cecil Pennington, under said appointment, proceeded to the State of Idaho and to the City of Burley to bring back said fugitive and found on arrival said fugitive, which he, Cecil Pennington, delivered to Elliott County, Kentucky, on August 18, 1934, and said fugitive was convicted and sentenced for a period of seventeen (17) years in Kentucky Reformatory, and

Whereas, Cecil Pennington, in performing his said duty as agent aforesaid, incurred expenses and traveled 4,572 miles to and from Idaho at 6c per mile, total of Two Hundred Seventy-Four Dollars and Thirty-Two Cents ($274.32); 10 meals for prisoner, Five Dollars ($5.00); train fare for prisoner, Joe Middleton, Forty-Two Dollars and Twenty-Eight Cents ($42.28); Fees paid P. D. Dade, Sheriff at Burley, Idaho, Twenty-Five Dollars ($25.00), making the total

Three Hundred and Forty-Six Dollars and Sixty Cents ($346.60): Therefore,

Be it Resolved by the House of Representatives and the Senate:

That the said amount Three Hundred and Forty-Six Dollars and Sixty Cents ($346.60), be and is hereby appropriated to be paid to the said Cecil Pennington and the Auditor of Public Accounts is directed to draw his warrant upon the Treasurer for the said amount and deliver the same to Cecil Pennington for the purpose aforesaid.

Ordered that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Herbert Cook	Thomas W. Hines
C. W. Anderson, Jr.	Harry Davis	Price Holbrook
H. T. Baker	Sam Dever	Clyde S. Howard
B. F. Bedford	Stanley S. Dickson	Ira W. Hulette
Reuben J. Boling	George W. Dunlap	John M. Hunnicut
Ollie J. Bowen	Walter R. Fannin	Ben W. Johnson
Wallace Brown	T. P. Fitzpatrick	J. H. Jones
Dr. R. A. Byers	James Garnett, Jr.	O. C. Jones
Jas. C. Carter	G. W. Garrett	R. T. Kirkman
Floyd Clark	Ferd A. Gnau	J. F. Ladd
Roscoe Claxon	Eugene Gough	Robert E. Lee
George S. Clay	Ben Grogan	John L. McDermott
J. A. Coleman	C. L. Hammons	Lloyd MacDonald
Roy Conway	W. L. Hampton, Jr.	W. F. McGary

Elmer McGlothen	Harry C. Records	Chester D. Silvers
G. S. Milam	L. K. Rice	Bruce Sloan
W. H. Miller	Wade H. Riley	H. C. Steely
John B. Mollett	John C. Robinson	Dr. H. S. Swope
W. E. Mull	W. T. Rollo	W. R. Tapp
Tyler Munford	A. W. Ross	R. Van Bever, Jr.
J. C. Nickell	Carl Scheben	Joseph L. Wall
Russell O'Neill	Carl Schneider	Henry Ward
A. W. Pfeiffer	Ray O. Shehan	L. R. Wells
J. C. Ramey	Dr. B. F. Shields	Charles Wylie
Hobart Rayburn	P. L. Sidebottom	--74

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a resolution entitled:

H. Res. 40. Joint Resolution authorizing Harry D. Kremer to sue the Commonwealth of Kentucky:

Said resolution is as follows, viz.:

Whereas, On September 7, 1935, Corporal C. L. Snow, a member of the Military Department of Kentucky, was operating an army truck then and there belonging to and in the service of the Military Department of Kentucky, and

Whereas, It is claimed by Harry D. Kremer that Snow, on said date, drove said truck on the wrong side of public highway No. 25, in Fayette County, Kentucky, and while doing so, ran into and collided head-on with the passenger automobile of Harry D. Kremer, then and there being driven

and operated by Harry D. Kremer, Jr., on the proper side of the highway, as claimed by Kremer, and

Whereas, It is claimed that the impact of said army truck with said passenger automobile greatly damaged the latter, and

Whereas, It is claimed that the repair of said damages to said passenger automobile cost Harry D. Kremer the sum of $225.35, and it is claimed that the said passenger automobile was damaged by said army truck to the extent of $225.35, and

Whereas, If such damage was sustained, the same should be repaid by the Commonwealth of Kentucky: Therefore,

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

That Harry D. Kremer be, and he is hereby, authorized and permitted to sue the Commonwealth of Kentucky in the Franklin Circuit Court for such damages as he may have suffered, if any, by any wrongful injury to his automobile by reason of the collision mentioned herein, and in the event any judgment is received by said Kremer in said suit as damages to his automobile, same shall be paid by the Auditor by warrant on the Treasurer, but the judgment shall not exceed the sum of $225.35, plus interest and costs, and the Commonwealth of Kentucky shall have the right to appeal as in any other civil case.

Ordered that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen C. W. Anderson, Jr. H. T. Baker

B. F. Bedford	W. L. Hampton, Jr.	J. C. Ramey
Reuben J. Boling	Thomas W. Hines	Hobart Rayburn
Ollie J. Bowen	Price Holbrook	Harry C. Records
Wallace Brown	Clyde S. Howard	L. K. Rice
Dr. R. A. Byers	Ira W. Hulette	Wade H. Riley
Jas. C. Carter	John M. Hunnicut	John C. Robinson
Floyd Clark	Ben W. Johnson	W. T. Rollo
Roscoe Claxon	J. H. Jones	A. W. Ross
George S. Clay	O. C. Jones	Carl Scheben
J. A. Coleman	R. T. Kirkman	Carl Schneider
Roy Conway	J. F. Ladd	Ray O. Shehan
Herbert Cook	Robert E. Lee	Dr. B. F. Shields
Harry Davis	John L. McDermott	P. L. Sidebottom
Sam Dever	Lloyd MacDonald	Chester D. Silvers
Stanley S. Dickson	W. F. McGary	Bruce Sloan
George W. Dunlap	Elmer McGlothen	H. C. Steely
Walter R. Fannin	G. S. Milam	Dr. H. S. Swope
T. P. Fitzpatrick	W. H. Miller	W. R. Tapp
James Garnett, Jr.	John B. Mollett	R. Van Bever, Jr.
G. W. Garrett	W. E. Mull	Joseph L. Wall
Ferd A. Gnau	Tyler Munford	Henry Ward
Eugene Gough	J. C. Nickell	L. R. Wells
Ben Grogan	Russell O'Neill	Charles Wylie
C. L. Hammons	A. W. Pfeiffer	

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Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a resolution entitled:

H. Res. 41. Resolution authorizing John Wright to file

suit against the Commonwealth of Kentucky and the State Highway Commission, or either.

Said resolution is as follows, viz.:

Whereas, On November 3, 1934, at or about the hour of twelve:thirty P. M., about one-fourth mile from Hart County court house in Hart County, at the North end of the Green River Bridge; John Wright was, while operating a truck owned by D. T. Martin and operated by the said John Wright and Ked Puckett, thrown from said truck and severely and critically injured by reason of said truck being struck in the rear by a truck operated on Highway No. 31W by one of the employees of the State Highway Commission: Now, Therefore,

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

That John Wright be, and he is hereby, authorized and permitted to sue the Commonwealth of Kentucky and the State Highway Commission, or either, in the Circuit Court of the county of his residence for such damages as he may have suffered, if any, by reason of said collision.

Ordered that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	B. F. Bedford	Wallace Brown
C. W. Anderson, Jr.	Reuben J. Boling	Dr. R. A. Byers
H. T. Baker	Ollie J. Bowen	Jas. C. Carter

Floyd Clark	Ira W. Hulette	Harry C. Records
Roscoe Claxon	John M. Hunnicut	L. K. Rice
George S. Clay	Ben W. Johnson	Wade H. Riley
J. A. Coleman	J. H. Jones	John C. Robinson
Roy Conway	O. C. Jones	W. T. Rollo
Herbert Cook	R. T. Kirkman	A. W. Ross
Harry Davis	J. F. Ladd	Carl Scheben
Sam Dever	Robert E. Lee	Carl Schneider
Stanley S. Dickson	John L. McDermott	Ray O. Shehan
George W. Dunlap	Lloyd MacDonald	Dr. B. F. Shields
Walter R. Fannin	W. F. McGary	P. L. Sidebottom
T. P. Fitzpatrick	Elmer McGlothen	Chester D. Silvers
James Garnett, Jr.	G. S. Milam	Bruce Sloan
G. W. Garrett	W. H. Miller	H. C. Steely
Ferd A. Gnau	John B. Mollett	Dr. H. S. Swope
Eugene Gough	W. E. Mull	W. R. Tapp
Ben Grogan	Tyler Munford	R. Van Bever, Jr.
C. L. Hammons	J. C. Nickell	Joseph L. Wall
W. L. Hampton, Jr.	Russell O'Neill	Henry Ward
Thomas W. Hines	A. W. Pfeiffer	L. R. Wells
Price Holbrook	J. C. Ramey	Charles Wylie
Clyde S. Howard	Hobart Rayburn	--74

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a resolution entitled:

H. Res. 42. Resolution authorizing Florence McGuire and Josephine McGuire to sue the Commonwealth of Kentucky and the State Highway Commission, for damages to their property at the junction of Highway No. 40 and No. .....,

in West Liberty, Kentucky, and/or for the removal of a fill made thereon

Said resolution is as follows, viz.:

Whereas, During the year 1934, the State Highway Commission reconstructed and resurfaced part of Highway No. 40 through the town of West Liberty, Kentucky, in Morgan County, and

Whereas, It is claimed by Florence and Josephine McGuire, joint owners of property at the junction of Highways No. 40 and No. ....., that the said Commission made an authorized and unnecessary fill on said Highway No. 40 at said junction and extended same down Highway No. ....., on Prestonsburg Street raising the level of said Highways and said street from 2 to 3½ feet above the level of their property, and

Whereas, The said Highways Nos. 40 and ....., had already been graded and the grade and level thereof established, and said fill was made over the objection and protest of said Florence and Josephine McGuire, and changes the said grade and level of said highways from that already established: Now, Therefore,

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

That Florence McGuire and Josephine McGuire are hereby permitted and authorized to sue the Commonwealth of Kentucky, and State Highway Commission for any damages they may have sustained by reason of said change in the grade or level of said highway and street, or either, and/or for the removal of said fill.

Either party may appeal from any judgment which may be rendered therein and the controversy may be settled and adjusted as other civil cases.

Ordered that said resolution be read the third time.

The Constitutional provision as to the third reading of

said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Eugene Gough	Russell O'Neill
C. W. Anderson, Jr.	Ben Grogan	A. W. Pfeiffer
H. T. Baker	C. L. Hammons	J. C. Ramey
R. F. Bedford	W. L. Hampton, Jr.	Hobart Rayburn
Reuben J. Boling	Thomas W. Hines	Harry C. Records
Ollie J. Bowen	Price Holbrook	L. K. Rice
Wallace Brown	Clyde S. Howard	Wade H. Riley
Dr. R. A. Byers	Ira W. Hulette	John C. Robinson
Jas. C. Carter	John M. Hunnicut	W. T. Rollo
Floyd Clark	Ben W. Johnson	A. W. Ross
Roscoe Claxon	J. H. Jones	Carl Scheben
George S. Clay	O. C. Jones	Carl Schneider
J. A. Coleman	R. T. Kirkman	Ray O. Shehan
Roy Conway	J. F. Ladd	Dr. B. F. Shields
Herbert Cook	Robert E. Lee	P. L. Sidebottom
Harry Davis	John L. McDermott	Chester D. Silvers
Sam Dever	Lloyd MacDonald	Bruce Sloan
Stanley S. Dickson	W. F. McGary	H. C. Steely
George W. Dunlap	Elmer McGlothen	Dr. H. S. Swope
Howard G. Early	G. S. Milam	W. R. Tapp
Walter R. Fannin	W. H. Miller	R. Van Bever, Jr.
T. P. Fitzpatrick	John B. Mollett	Joseph L. Wall
James Garnett, Jr.	W. E. Mull	Henry Ward
G. W. Garrett	Tyler Munford	L. R. Wells
Ferd A. Gnau	J. C. Nickell	Charles Wylie

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Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said resolution

was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a resolution entitled:

H. Res. 47. A Resolution, authorizing Arch Wilson Herbert Seale and Luther F. Morgan, to file suit against the Commonwealth of Kentucky and the State Highway Commission or either.

Said resolution is as follows, viz.:

Whereas, Heretofore the State Highway Department dumped dirt over a fill so as to present the water from running off of the property of Herbert Seale, Luther F. Morgan and Arch Wilson and caused same to back up on their said land, and whereby their property is now unfit for cultivation and that they have been damaged by reason thereof by the State Highway Department and its employees: Now, Therefore,

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

That, Herbert Seale, Arch Wilson and Luther F. Morgan be and they are hereby authorized and permitted to sue the Commonwealth of Kentucky and the State Highway Commission, or either, in the Circuit Court of the County of their residence for such damage as they or either of them may have suffered if any by reason of the dumping of the said dirt over this fill and thereby causing the water to back up over their lands and causing said lands to be unfit for cultivation and thereby permanently damaging said land and permanently destroying the use of same and its value.

Ordered that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Ben Grogan	J. C. Ramey
C. W. Anderson, Jr.	C. L. Hammons	Hobart Rayburn
H. T. Baker	W. L. Hampton, Jr.	Harry C. Records
B. F. Bedford	Thomas W. Hines	L. K. Rice
Reuben J. Boling	Price Holbrook	Wade H. Riley
Ollie J. Bowen	Clyde S. Howard	John C. Robinson
Wallace Brown	Ira W. Hulette	W. T. Rollo
Dr. R. A. Byers	John M. Hunnicut	A. W. Ross
Jas. C. Carter	Ben W. Johnson	Carl Scheben
Floyd Clark	J. H. Jones	Carl Schneider
Roscoe Claxon	O. C. Jones	Ray O. Shehan
George S. Clay	R. T. Kirkman	Dr. B. F. Shields
J. A. Coleman	J. F. Ladd	P. L. Sidebottom
Roy Conway	Robert E. Lee	Chester D. Silvers
Herbert Cook	John L. McDermott	Bruce Sloan
Harry Davis	Lloyd MacDonald	H. C. Steely
Sam Dever	W. F. McGary	Dr. H. S. Swope
Stanley S. Dickson	Elmer McGlothen	W. R. Tapp
George W. Dunlap	G. S. Milam	R. Van Bever, Jr.
Howard G. Early	W. H. Miller	Joseph L. Wall
Walter R. Fannin	John B. Mollett	Henry Ward
T. P. Fitzpatrick	W. E. Mull	L. R. Wells
James Garnett, Jr.	Tyler Munford	W. G. Williams
G. W. Garrett	J. C. Nickell	Charles Wylie
Ferd A. Gnau	Russell O'Neill	
Eugene Gough	A. W. Pfeiffer	—76

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a resolution entitled:

H. Res. 49. An Act authorizing Genevieve Collins, Committee of John M. Green, to sue the State of Kentucky, under Section 518 of the Civil Code of Practice, to set aside a judgment rendered against the said John M. Green by the Jefferson Circuit Court.

Said resolution is as follows, viz.:

Whereas, Upon the last day of April, 1935, the Jefferson Circuit Court, Criminal Branch, entered judgment for $4,000.00 and costs on the forfeiture of a bail bond, executed on the 11th day of August, 1934, by the said John M. Green, in the case of Commonwealth of Kentucky vs. Richard Eaton, No. 67,184; and,

Whereas, On the 8th day of August, 1935, the said John M. Green was adjudged in the said Jefferson Circuit Court, Criminal Branch, a person of unsound mind and incompetent to handle his own affairs, and the said Genevieve Collins, his daughter, qualified and was appointed, and has been ever since, and is now, the Committee of said John M. Green; and,

Whereas, The said Genevieve Collins contends that her ward, John M. Green, was incompetent and did not have sufficient mental capacity at the time said bail bond was executed, to wit: August 11, 1934, to make a contract, and that the said John M. Green was at the time and ever since said time has been a person of unsound mind, and that by reason of the mental condition of said John M. Green the said bail bond executed by him is and was voidable, and that no judgment should

have been taken against him upon the forfeiture of said bail bond:

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the said Genevieve Collins, Committee of John M. Green, be authorized to bring and prosecute a suit, under Section 518 of the Civil Code of Practice, in the Franklin County Circuit Court against the Commonwealth of Kentucky, under the style of Genevieve Collins, Committee of John M. Green, in order to determine whether or not said judgment rendered in Criminal Case No. 67,184, Jefferson Circuit Court, Criminal Branch, should be set aside and held for naught, and whether or not the Commonwealth should have judgment on the bail bond executed by said John M. Green in said case.

§ 2. Either party to said suit may appeal from any judgment which may be rendered therein by the Franklin Circuit Court, to the Court of Appeals, and the case may be settled and adjusted with the consent and approval of the Attorney General of Kentucky, in the same way as any other civil case.

Ordered that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Ollie J. Bowen	Roscoe Claxon
C. W. Anderson, Jr.	Wallace Brown	George S. Clay
H. T. Baker	Dr. R. A. Byers	J. A. Coleman
B. F. Bedford	Jas. C. Carter	Roy Conway
Reuben J. Boling	Floyd Clark	Herbert Cook

Harry Davis	O. C. Jones	John C. Robinson
Sam Dever	R. T. Kirkman	W. T. Rollo
Stanley S. Dickson	J. F. Ladd	A. W. Ross
George W. Dunlap	Robert E. Lee	Carl Scheben
Howard G. Early	John L. McDermott	Carl Schneider
Walter R. Fannin	Lloyd MacDonald	Ray O. Shehan
T. P. Fitzpatrick	W. F. McGary	Dr. B. F. Shields
James Garnett, Jr.	Elmer McGlothen	P. L. Sidebottom
G. W. Garrett	G. S. Milam	Chester D. Silvers
Ferd A. Gnau	W. H. Miller	Bruce Sloan
Eugene Gough	John B. Mollett	H. C. Steely
Ben Grogan	W. E. Mull	Dr. H. S. Swope
C. L. Hammons	Tyler Munford	W. R. Tapp
W. L. Hampton, Jr.	J. C. Nickell	R. Van Bever, Jr.
Thomas W. Hines	Russell O'Neill	Joseph L. Wall
Price Holbrook	A. W. Pfeiffer	Henry Ward
Clyde S. Howard	J. C. Ramey	L. R. Wells
Ira W. Hulette	Hobart Rayburn	W. G. Williams
John M. Hunnicut	Harry C. Records	Charles Wylie
Ben W. Johnson	L. K. Rice	
J. H. Jones	Wade H. Riley	—76

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a resolution entitled:

H. Res. 51. Resolution authorizing J. B. Lacefield, of Central City, Muhlenberg County, Kentucky, to sue the Commonwealth of Kentucky and the State Highway Commission.

Said resolution is as follows, viz.:

Whereas, The State Highway Commission and the Com-

monwealth of Kentucky were constructing a bridge on the Owensboro-Livermore highway in Daviess County, Kentucky, and,

Whereas, They had removed the old bridge, leaving an open ditch across the main highway, and

Whereas, They had piled stones and other debris along the banks of said ditch and across said highway obstructing the highway, and,

Whereas, On the night of December 12, 1935, J. B. Lacefield, a deputy sheriff of Muhlenberg County, Kentucky, while proceeding to Owensboro, Kentucky, on official business ran into the embankment which was placed across the highway by the State Highway Commission, and received severe personal injuries and also damaged his automobile to a considerable extent, and,

Whereas, The State Highway Commission and the Commonwealth of Kentucky had not placed adequate lights or any other warning to motorists using this highway of the presence of this obstruction placed across the highway by them, and

Whereas, Because of said negligence of the State Highway Commission and the Commonwealth of Kentucky, J. B. Lacefield received severe injuries and considerable damage to his person and automobile through no fault of his own: Therefore,

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

§ 1. That J. B. Lacefield be and he is hereby authorized to sue the Commonwealth of Kentucky and the State Highway Commission of Kentucky and the Daviess County Circuit Court for such damages as he may have sustained, if any, by reason of any injury to his person or to his property through the carelessness or negligence of the State Highway Commission of Kentucky, its agents or employees, and in the event any judgment is recovered by the said J. B. Lacefield in

said suit for damages to his person or property same shall be paid by the Auditor of the Commonwealth of Kentucky by warrant on the Treasurer.

§ 2. Either party to said suit may appeal from any judgment which may be rendered in the Daviess circuit court to the Court of Appeals and the case may be settled and adjusted with the consent of the Attorney General of the Commonwealth of Kentucky in the same way as any other civil cases may be settled or adjusted.

Ordered, that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Sam Dever	Ira W. Hulette
C. W. Anderson, Jr.	Stanley S. Dickson	John M. Hunnicut
H. T. Baker	George W. Dunlap	Ben W. Johnson
B. F. Bedford	Howard G. Early	J. H. Jones
Reuben J. Boling	Walter R. Fannin	O. C. Jones
Ollie J. Bowen	T. P. Fitzpatrick	R. T. Kirkman
Wallace Brown	James Garnett, Jr.	J. F. Ladd
Dr. R. A. Byers	G. W. Garrett	Robert E. Lee
Jas. C. Carter	Ferd A. Gnau	John L. McDermott
Floyd Clark	Eugene Gough	Lloyd MacDonald
Roscoe Claxon	Ben Grogan	W. F. McGary
George S. Clay	C. L. Hammons	Elmer McGlothen
J. A. Coleman	W. L. Hampton, Jr.	G. S. Milam
Roy Conway	Thomas W. Hines	W. H. Miller
Herbert Cook	Price Holbrook	John B. Mollett
Harry Davis	Clyde S. Howard	W. E. Mull

Tyler Munford	W. T. Rollo	Dr. H. S. Swope
J. C. Nickell	A. W. Ross	W. R. Tapp
Russell O'Neill	Carl Scheben	R. Van Bever, Jr.
A. W. Pfeiffer	Carl Schneider	Joseph L. Wall
J. C. Ramey	Ray O. Shehan	Henry Ward
Hobart Rayburn	Dr. B. F. Shields	L. R. Wells
Harry C. Records	P. L. Sidebottom	W. G. Williams
L. K. Rice	Chester D. Silvers	Charles Wylie
Wade H. Riley	Bruce Sloan	
John C. Robinson	H. C. Steely	--76

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a resolution entitled:

H. Res. 52. A Resolution authorizing W. S. Curl to sue the Commonwealth of Kentucky and the State Highway Commission or either.

Said resolution is as follows, viz.:

Whereas, on or about the 15th day of June, 1933, W. S. Curl, a resident of Meade County, while employed as a workman on State Maintenance Highway Project No. 8X in Meade County and in a rock quarry thereby a blast of rock occurred causing injury to the said W. S. Curl while he was employed by the State Highway Commission, and,

Whereas, it is the contention of the said W. S. Curl that the said injuries were caused by the negligence and carelessness of the employees of the State Highway Commission of the Commonwealth of Kentucky in that they failed to give

the proper warning of the blast, or to post a notice or to give a signal as to the time of the setting off of the blast which resulted in his injuries:

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

That W. S. Curl be and he is authorized and permitted to sue the Commonwealth of Kentucky and the State Highway Commission, or either, in the Meade Circuit Court, the residence of the said W. S. Curl, for damages for the loss of earning power, loss of time from work, physical suffering and for hospital and medical bills of the said W. S. Curl which were all brought about and caused by the negligence of the employees of the State Highway Commission, and in the event any judgment is recovered by W. S. Curl in said suit for injuries to himself or if same is compromised or settled, said judgment shall be paid by the Auditor of Public Accounts of the Commonwealth of Kentucky by warrant drawn on the State Treasurer and paid out of the General Fund. Either party to said suit may appeal from any judgment that may be entered therein as in any other civil suit and the case may be settled and adjusted with the consent and approval of the Attorney General of the Commonwealth of Kentucky in the same way as any other civil case.

Ordered, that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen C. W. Anderson, Jr. H. T. Baker

B. F. Bedford	W. L. Hampton, Jr.	Hobart Rayburn
Reuben J. Boling	Thomas W. Hines	Harry C. Records
Ollie J. Bowen	Price Holbrook	L. K. Rice
Wallace Brown	Clyde S. Howard	Wade H. Riley
Dr. R. A. Byers	Ira W. Hulette	John C. Robinson
Jas. C. Carter	John M. Hunnicut	W. T. Rollo
Floyd Clark	Ben W. Johnson	A. W. Ross
Roscoe Claxon	J. H. Jones	Carl Scheben
George S. Clay	O. C. Jones	Carl Schneider
J. A. Coleman	R. T. Kirkman	Ray O. Shehan
Roy Conway	J. F. Ladd	Dr. B. F. Shields
Herbert Cook	Robert E. Lee	P. L. Sidebottom
Harry Davis	John L. McDermott	Chester D. Silvers
Sam Dever	Lloyd MacDonald	Bruce Sloan
Stanley S. Dickson	W. F. McGary	H. C. Steely
George W. Dunlap	Elmer McGlothen	Dr. H. S. Swope
Howard G. Early	G. S. Milam	W. R. Tapp
Walter R. Fannin	W. H. Miller	R. Van Bever, Jr.
T. P. Fitzpatrick	John B. Mollett	Joseph L. Wall
James Garnett, Jr.	W. E. Mull	Henry Ward
G. W. Garrett	Tyler Munford	L. R. Wells
Ferd A. Gnau	J. C. Nickell	W. G. Williams
Eugene Gough	Russell O'Neill	Charles Wylie
Ben Grogan	A. W. Pfeiffer	
C. L. Hammons	J. C. Ramey	—76

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a resolution entitled:

H. Res. 53. Resolution authorizing and permitting G. B.

Hall to sue the Commonwealth of Kentucky and the State Highway Commission or either.

Said resolution is as follows, viz.:

Whereas, on or about May 7, 1934, G. B. Hall, of Floyd County, while riding in an automobile on U. S. Highway No. 23, was run into by a grader which was owned at the time and being operated by the employees of the State Highway Commission and was severely, painfully and permanently injured on and about the head and face, causing a derangement of the mind;

Whereas, it is claimed that said collision was entirely caused and brought about by the gross negligence and gross carelessness of the agents, servants and employees of the said State Highway Commission in the operation of said grader belonging to the State of Kentucky or the State Highway Commission; and

Whereas, he sustained said serious, painful and permanent injuries because of the alleged carelessness and negligence of the said employees while in the discharge and conduct of the state's business: Therefore,

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

That said G. B. Hall be, and he hereby is, authorized and permitted to sue the Commonwealth of Kentucky and the State Highway Commission, or either, in the circuit court of the county of his residence, for such damages as he may have suffered if any, by reason of any injuries received by him through the carelessness or negligence of the State Highway Commission, its agents or employees. Said suit shall be for any amount not exceeding the sum of $5,000.00, and in the event any judgment is recovered by said G. B. Hall in said suit for injuries to himself, or same is compromised or settled, same shall be paid by the Auditor of Public Accounts by warrant drawn on the State Treasurer and paid out of the general fund.

Ordered, that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Ben Grogan	J. C. Ramey
C. W. Anderson, Jr.	C. L. Hammons	Hobart Rayburn
H. T. Baker	W. L. Hampton, Jr.	Harry C. Records
B. F. Bedford	Thomas W. Hines	L. K. Rice
Reuben J. Boling	Price Holbrook	Wade H. Riley
Ollie J. Bowen	Clyde S. Howard	John C. Robinson
Wallace Brown	Ira W. Hulette	W. T. Rollo
Dr. R. A. Byers	John M. Hunnicut	A. W. Ross
Jas. C. Carter	Ben W. Johnson	Carl Scheben
Floyd Clark	J. H. Jones	Carl Schneider
Roscoe Claxon	O. C. Jones	Ray O. Shehan
George S. Clay	R. T. Kirkman	Dr. B. F. Shields
J. A. Coleman	J. F. Ladd	P. L. Sidebottom
Roy Conway	Robert E. Lee	Chester D. Silvers
Herbert Cook	John L. McDermott	Bruce Sloan
Harry Davis	Lloyd MacDonald	H. C. Steely
Sam Dever	W. F. McGary	Dr. H. S. Swope
Stanley S. Dickson	Elmer McGlothen	W. R. Tapp
George W. Dunlap	G. S. Milam	R. Van Bever, Jr.
Howard G. Early	W. H. Miller	Joseph L. Wall
Walter R. Fannin	John B. Mollett	Henry Ward
T. P. Fitzpatrick	W. E. Mull	L. R. Wells
James Garnett, Jr.	Tyler Munford	W. G. Williams
G. W. Garrett	J. C. Nickell	Charles Wylie
Ferd A. Gnau	Russell O'Neill	
Eugene Gough	A. W. Pfeiffer	

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Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a resolution entitled:

H. Res. 54. A Resolution authorizing Mrs. Alice Maher to sue the Commonwealth of Kentucky, and the Kentucky Emergency Relief Administration, or its successor, or either of them, and the statute of limitations not to apply until from the passage of this resolution.

Said resolution is as follows, viz.:

Whereas, on the 24th day of October, 1935, and prior thereto, Mrs. Alice Maher was employed by the Kentucky Emergency Relief Administration in the conduct of its operations; and

Whereas, said Mrs. Alice Maher, while in the performance of her duties was injured through the negligence of some person in the operation of the elevator in the building in which she was employed, and incurred expenses in the sum of Three Hundred Eighty-Two and 95/100 ($382.95) Dollars for the treatment of said injuries: Therefore,

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

That Mrs. Alice Maher, of Newport, Campbell County, Kentucky, be and she is hereby authorized, empowered, and permitted, to sue the Commonwealth of Kentucky, and the Kentucky Emergency Relief Administrator or its successor, or either of them, in the Campbell Circuit Court for such damages as she may have sustained, if any, by reason of

being injured by the falling or operation of the elevator and elevator gate in the building at Ninth and Orchard Streets in the City of Newport, Campbell County, Kentucky, and which building was leased by the Kentucky Emergency Relief Administration for the conduct of its business. And caused by the negligence of the agents, servants, and employees of the Commonwealth of Kentucky, or the Kentucky Emergency Relief Administration, or its successors, or either of them.

And in such suit she shall be permitted to show all the facts and circumstances as to whether or not the employees or any employee of the Commonwealth of Kentucky, or the Kentucky Emergency Relief Administration were negligent in reference to said elevator and elevator gate and shaft, or negligent in any manner in the care and operation of the elevator in said building, on the part of the Commonwealth of Kentucky, or the Kentucky Emergency Relief Administration, their agents, servants, and employees; and if a jury shall decide that there was negligence on the part of any such employee or employees of the Commonwealth of Kentucky or the Kentucky Emergency Relief Administration, and that as a direct and proximate result thereof said Mrs. Alice Maher received her injuries, then she may recover of the Commonwealth of Kentucky, or the Kentucky Emergency Relief Administration, or both, such sum or sums as will fairly and reasonably compensate her for the damage sustained, not exceeding Five Hundred ($500.00) Dollars.

In the event a judgment is recovered by said Mrs. Alice Maher in said suit as damages, same shall be paid by the Auditor of Public Accounts by warrant drawn on the State Treasurer. The Commonwealth of Kentucky and the Kentucky Emergency Relief Administration, or its successors, or either of them, and the said Mrs. Alice Maher shall have the right to appeal as in any other civil case. The recovery herein shall be limited to and not exceed Five Hundred ($500.00) Dollars.

Ordered, that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Ben Grogan	J. C. Ramey
C. W. Anderson, Jr.	C. L. Hammons	Hobart Rayburn
H. T. Baker	W. L. Hampton, Jr.	Harry C. Records
B. F. Bedford	Thomas W. Hines	L. K. Rice
Reuben J. Boling	Price Holbrook	Wade H. Riley
Ollie J. Bowen	Clyde S. Howard	John C. Robinson
Wallace Brown	Ira W. Hulette	W. T. Rollo
Dr. R. A. Byers	John M. Hunnicut	A. W. Ross
Jas. C. Carter	Ben W. Johnson	Carl Scheben
Floyd Clark	J. H. Jones	Carl Schneider
Roscoe Claxon	O. C. Jones	Ray O. Shehan
George S. Clay	R. T. Kirkman	Dr. B. F. Shields
J. A. Coleman	J. F. Ladd	P. L. Sidebottom
Roy Conway	Robert E. Lee	Chester D. Silvers
Herbert Cook	John L. McDermott	Bruce Sloan
Harry Davis	Lloyd MacDonald	H. C. Steely
Sam Dever	W. F. McGary	Dr. H. S. Swope
Stanley S. Dickson	Elmer McGlothen	W. R. Tapp
George W. Dunlap	G. S. Milam	R. Van Bever, Jr.
Howard G. Early	W. H. Miller	Joseph L. Wall
Walter R. Fannin	John B. Mollett	Henry Ward
T. P. Fitzpatrick	W. E. Mull	L. R. Wells
James Garnett, Jr.	Tyler Munford	W. G. Williams
G. W. Garrett	J. C. Nickell	Charles Wylie
Ferd A. Gnau	Russell O'Neill	
Eugene Gough	A. W. Pfeiffer	

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Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a resolution entitled:

H. Res. 55. Resolution authorizing E. S. Howard to sue the Commonwealth of Kentucky and the State Highway Commission of Kentucky.

Said resolution is as follows, viz.:

Whereas, the State Highway Commission of Kentucky constructed a public bridge across Rough River at Hartford, Kentucky, in Ohio County, which work was begun about June, 1934, and completed in the fall of 1934, and

Whereas, said work or construction was performed by Ruby Lumber Company, contractors, employed by the State Highway Commission of the Commonwealth of Kentucky, and

Whereas, said contractors of the State Highway Commission of the Commonwealth of Kentucky removed the metal tilings from the drainage and crossing into and upon the property of E. S. Howard, and elevated the highway, being Highway No. 71 some three or more feet in front of said property of the said E. S. Howard, and left an open ditch all along said property in such a way that prohibits egress and ingress and excavated a large amount of land belonging to the said Howard and left said property in such condition as to cause large ditches or gullies to wash along the entire front adjoining the highway and leaving same without any approach to enter said property in such a manner as to greatly injure and damage the said E. S. Howard, and

Whereas, by reason of the negligent construction and maintenance the property owned by E. S. Howard, in the city limits of Hartford, adjacent to Highway No. 71 and adjacent to the said bridge, has been greatly injured and damaged because of the destruction of the crossings, the large ditches along the front prohibiting his egress and ingress and by reason of removing his soil making the property practically worthless, and

Whereas, the said E. S. Howard alleges and claims that said damage and injury to his property was caused entirely by the negligence and carelessness of the State Highway Commission, its agents and employees in the construction and maintenance of said Bridge and Highway, and

Whereas, if the said injury and damages to said land or property was caused by the negligence and carelessness of the State Highway Commission, its agents and employees, the said E. S. Howard should be compensated for his drainage and injury to his property: Therefore,

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

That E. S. Howard be and he is hereby authorized and permitted to sue the Commonwealth of Kentucky and the State Highway Commission of Kentucky, in the Ohio Circuit Court for such damage as he may have sustained, if any, by reason of any injury or damage to his property through the carelessness or negligence of the State Highway Commission of Kentucky, its agents or employees and in the event any judgment is recovered by the said E. S. Howard in said suit for damages to his land or property, same shall be paid by the Auditor by warrant on the Treasurer.

Either party to said suit may appeal from any judgment which may be rendered in the Ohio Circuit Court to the Court of Appeals, and the case may be settled and adjusted with the consent of the Attorney General of Kentucky in the same way as any other civil action.

Ordered, that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen
C. W. Anderson, Jr.
H. T. Baker
B. F. Bedford
Reuben J. Boling
Ollie J. Bowen
Wallace Brown
Dr. R. A. Byers
Jas. C. Carter
Floyd Clark
Roscoe Claxon
George S. Clay
J. A. Coleman
Roy Conway
Herbert Cook
Harry Davis
Sam Dever
Stanley S. Dickson
George W. Dunlap
Howard G. Early
Walter R. Fannin
T. P. Fitzpatrick
James Garnett, Jr.
G. W. Garrett
Ferd A. Gnau
Eugene Gough
Ben Grogan
C. L. Hammons
W. L. Hampton, Jr.
Thomas W. Hines
Price Holbrook
Clyde S. Howard
Ira W. Hulette
John M. Hunnicut
Ben W. Johnson
J. H. Jones
O. C. Jones
R. T. Kirkman
J. F. Ladd
Robert E. Lee
John L. McDermott
Lloyd MacDonald
W. F. McGary
Elmer McGlothen
G. S. Milam
W. H. Miller
John B. Mollett
W. E. Mull
Tyler Munford
J. C. Nickell
Russell O'Neill
A. W. Pfeiffer
J. C. Ramey
Hobart Rayburn
Harry C. Records
L. K. Rice
Wade H. Riley
John C. Robinson
W. T. Rollo
A. W. Ross
Carl Scheben
Carl Schneider
Ray O. Shehan
Dr. B. F. Shields
P. L. Sidebottom
Chester D. Silvers
Bruce Sloan
H. C. Steely
Dr. H. S. Swope
W. R. Tapp
R. Van Bever, Jr.
Joseph L. Wall
Henry Ward
L. R. Wells
W. G. Williams
Charles Wylie

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Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a resolution entitled:

H. Res. 59. Resolution authorizing William C. Wells and Mary Helen Wells, his wife, and Matt Wells, who reside in Louisville, Jefferson County, Kentucky, to file suits against the Commonwealth of Kentucky and the State Highway Commission or either.

Said resolution is as follows, viz.:

Whereas, on November 14, 1934, on Highway 60, in Breckinridge County, Kentucky, between Harned and Hardinsburg, William C. Wells, and his wife, Mary Helen Wells, and his father, Matt Wells, were riding in an automobile owned by William C. Wells, which automobile was run into and collided with by a truck owned by the Commonwealth of Kentucky, and then being operated and used by an employee of the State Highway Department and working upon the State Highway, thereby causing them to be severely and critically injured and the automobile of said William C. Wells to be damaged,

Now Therefore, in order that they may determine their rights by judicial action, and the question of negligence, if any, causing said injuries to each of them, may be determined by judicial action,

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

§ 1. That William C. Wells, in his own right and name,

Mary Helen Wells, in her own right and name, and Matt Wells, in his own right and name, be and they are hereby empowered and authorized to file and prosecute suits, severally and respectively, against the Commonwealth of Kentucky, and the State Highway Commission, or either, for the purpose of determining the liability of the Commonwealth of Kentucky, and the State Highway Commission, or either, for such injuries and damage, if any, there be, arising from above stated facts, and in the event any judgement in either action is recovered by said William C. Wells, Mary Helen Wells, and Matt Wells, or either of them, or same are compromised and settled, judgments or amount agreed on in compromise, if any, shall be paid by the Auditor of Public Accounts, by warrant drawn on the State Treasury and paid out of the General Fund.

§ 2. Such actions may be brought in any circuit court of the Commonwealth of Kentucky, which has jurisdiction of the subject matter, provided that any such action shall be instituted within one year from the date this resolution becomes effective.

§ 3. Either party to any suit may appeal from any judgment which may be entered therein, as in any other civil suit and the cases may be settled and adjusted with the consent and approval of the Attorney General of Kentucky, in the same way as any other civil case.

Ordered, that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Ben Grogan	J. C. Ramey
C. W. Anderson, Jr.	C. L. Hammons	Hobart Rayburn
H. T. Baker	W. L. Hampton, Jr.	Harry C. Records
B. F. Bedford	Thomas W. Hines	L. K. Rice
Reuben J. Boling	Price Holbrook	Wade H. Riley
Ollie J. Bowen	Clyde S. Howard	John C. Robinson
Wallace Brown	Ira W. Hulette	W. T. Rollo
Dr. R. A. Byers	John M. Hunnicut	A. W. Ross
Jas. C. Carter	Ben W. Johnson	Carl Scheben
Floyd Clark	J. H. Jones	Carl Schneider
Roscoe Claxon	O. C. Jones	Ray O. Shehan
George S. Clay	R. T. Kirkman	Dr. B. F. Shields
J. A. Coleman	J. F. Ladd	P. L. Sidebottom
Roy Conway	Robert E. Lee	Chester D. Silvers
Herbert Cook	John L. McDermott	Bruce Sloan
Harry Davis	Lloyd MacDonald	H. C. Steely
Sam Dever	W. F. McGary	Dr. H. S. Swope
Stanley S. Dickson	Elmer McGlothen	W. R. Tapp
George W. Dunlap	G. S. Milam	R. Van Bever, Jr.
Howard G. Early	W. H. Miller	Joseph L. Wall
Walter R. Fannin	John B. Mollett	Henry Ward
T. P. Fitzpatrick	W. E. Mull	L. R. Wells
James Garnett, Jr.	Tyler Munford	W. G. Williams
G. W. Garrett	J. C. Nickell	Charles Wylie
Ferd A. Gnau	Russell O'Neill	
Eugene Gough	A. W. Pfeiffer	—76

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 444. An Act authorizing and empowering Lavina Pope to file suit against the Commonwealth of Kentucky and/or the State Highway Commission of Kentucky.

Said bill is as follows, viz.:

Whereas, during one of the years 1931, 1932, and 1933, the State Highway Commission of Kentucky built and constructed a public highway in Harlan County, State of Kentucky, from the city of Harlan in said county and state up the waters of Martin's Fork to the Kentucky-Virginia state line; and,

Whereas, the said Lavina Pope during said years was and now is the owner of the following described land and real estate, to wit:

Beginning on an elm on the north line of the Louisville and Nashville Railroad Company's right of way up Martin's Fork and on the south side of said Martin's Fork; thence eastwardly with said north line of said right of way to Bob's Creek; thence northwardly down with Bob's Creek to Martin's Fork; thence down Martin's Fork River to the beginning; and,

Whereas, the said boundary or tract of land borders on Martin's Fork of the Cumberland River on one side; and,

Whereas, the said state highway was constructed up and along said Martin's Fork on the bank of said Martin's Fork opposite to the said land above described; and,

Whereas, in constructing the said highway on said opposite bank of Martin's Fork, the State Highway Commission of Kentucky dynamited and removed large amounts of dirt, trees, rocks, ground, and debris from the right of way for said road; and,

Whereas, in so doing the said State Highway Commission of Kentucky placed, dumped and dynamited all or a large part of said dirt, rocks, trees, ground, and debris into the bed and channel of said Martin's Fork River, thereby forming an obstruction in said Martin's Fork and causing the waters

of same, adjacent to and above said land, to dam and accumulate and overflow the said land, and changing the said Martin's Fork River from its usual, customary, and natural course and channel and diverting same over and upon the said land and real estate of Lavina Pope and causing same to flow over, upon, and through said land, and thus damaging, ruining, and destroying said tract of land; and,

Whereas, no compensation whatever has ever been received by or paid to the said Lavina Pope or for her use and benefit by the said State Highway Commission of Kentucky or the Commonweolth of Kentucky or any one whatsoever, for the said damage to her land and real estate: Therefore,

Be it enacted by the General Assembly of Kentucky:

That Lavina Pope, in her own right and name, be and she is hereby empowered and authorized to file and prosecute appropriate action or actions against the Commonwealth of Kentucky and/or the State Highway Commission of Kentucky, either jointly or severally, for the purpose of determining the liability of the Commonwealth of Kentucky and/or the State Highway Commission of Kentucky for such injuries, if any there be.

Such action or actions may be brought in the circuit court of the county wherein said tract of land lies and is situated and said action or actions may, if more than one, be joined in the same suit or with any other action or actions pending in said circuit court. The Commonwealth of Kentucky may be brought before the court in any such action or actions by serving the summons or summonses on the Governor or the Lieutenant Governor of the Commonwealth of Kentucky, and the State Highway Commission of Kentucky may be brought before the court in any such action or actions by serving the summons or summonses on any agent or representative of the said State Highway Commission of Kentucky in whatever county they or either of them may be found, and she is hereby

empowered and permitted to prosecute said action or actions in said court until finally terminated or otherwise adjusted.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Ferd A. Gnau	Tyler Munford
C. W. Anderson, Jr.	Eugene Gough	J. C. Nickell
H. T. Baker	Ben Grogan	Russell O'Neill
B. F. Bedford	C. L. Hammons	A. W. Pfeiffer
Reuben J. Boling	W. L. Hampton, Jr.	J. C. Ramey
Ollie J. Bowen	Thomas W. Hines	Hobart Rayburn
Wallace Brown	Price Holbrook	Harry C. Records
Dr. R. A. Byers	Clyde S. Howard	L. K. Rice
Jas. C. Carter	Ira W. Hulette	Wade H. Riley
Floyd Clark	John M. Hunnicut	John C. Robinson
Roscoe Claxon	Ben W. Johnson	W. T. Rollo
George S. Clay	J. H. Jones	A. W. Ross
J. A. Coleman	O. C. Jones	Carl Scheben
Roy Conway	R. T. Kirkman	Carl Schneider
Herbert Cook	J. F. Ladd	Ray O. Shehan
Harry Davis	Robert E. Lee	Dr. B. F. Shields
Sam Dever	John L. McDermott	P. L. Sidebottom
Stanley S. Dickson	Lloyd MacDonald	Chester D. Silvers
George W. Dunlap	W. F. McGary	Bruce Sloan
Howard G. Early	Elmer McGlothen	H. C. Steely
Walter R. Fannin	G. S. Milam	Dr. H. S. Swope
T. P. Fitzpatrick	W. H. Miller	W. R. Tapp
James Garnett, Jr.	John B. Mollett	R. Van Bever, Jr.
G. W. Garrett	W. E. Mull	Joseph L. Wall

Henry Ward W. G. Williams Charles Wylie
L. R. Wells —76

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 229. An Act to permit J. W. Beams to sue the State of Kentucky.

Said bill is as follows, viz.:

Whereas, J. W. Beams was injured while working for the Highway Department June 14, 1934, by a truck, sustaining the fracture of the bones of the leg between the knee and ankle and mashed in the hip and from which he was caused to suffer great pain, was confined to hospitals, bed and indoors for eleven months, and all without any fault on his part: Now,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That the said Beams be permitted to, within six months following the passage of this act, institute an action in the county in which said injury was sustained for damages on account of said injury; and, in the event injury shall be awarded, that the Auditor of this state shall draw his draft upon the Treasury of the State for the satisfaction of such judgment.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of

said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Ben Grogan	J. C. Ramey
C. W. Anderson, Jr.	C. L. Hammons	Hobart Rayburn
H. T. Baker	W. L. Hampton, Jr.	Harry C. Records
B. F. Bedford	Thomas W. Hines	L. K. Rice
Reuben J. Boling	Price Holbrook	Wade H. Riley
Ollie J. Bowen	Clyde S. Howard	John C. Robinson
Wallace Brown	Ira W. Hulette	W. T. Rollo
Dr. R. A. Byers	John M. Hunnicut	A. W. Ross
Jas. C. Carter	Ben W. Johnson	Carl Scheben
Floyd Clark	J. H. Jones	Carl Schneider
Roscoe Claxon	O. C. Jones	Ray O. Shehan
George S. Clay	R. T. Kirkman	Dr. B. F. Shields
J. A. Coleman	J. F. Ladd	P. L. Sidebottom
Roy Conway	Robert E. Lee	Chester D. Silvers
Herbert Cook	John L. McDermott	Bruce Sloan
Harry Davis	Lloyd MacDonald	H. C. Steely
Sam Dever	W. F. McGary	Dr. H. S. Swope
Stanley S. Dickson	Elmer McGlothen	W. R. Tapp
George W. Dunlap	G. S. Milam	R. Van Bever, Jr.
Howard G. Early	W. H. Miller	Joseph L. Wall
Walter R. Fannin	John B. Mollett	Henry Ward
T. P. Fitzpatrick	W. E. Mull	L. R. Wells
James Garnett, Jr.	Tyler Munford	W. G. Williams
G. W. Garrett	J. C. Nickell	Charles Wylie
F'erd A. Gnau	Russell O'Neill	
Eugene Gough	A. W. Pfeiffer	—76

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a resolution entitled:

S. Res. 26. Resolution authorizing the personal representative of Clay Lightfoot, deceased, and Rena Lightfoot to sue the Commonwealth of Kentucky and the State Highway Commission of the State of Kentucky or either of them.

Said resolution is as follows, viz.:

Whereas, on or about November 19, 1935, Clay Lightfoot, then 66 years of age and able-bodied, and his wife, Rena Lightfoot, then 72 years of age and able-bodied, of Bowling Green, Warren County, Kentucky, while walking along a public highway known as the Russellville Road, Federal Highway No. 68, were injured by a truck then and there owned and operated by the State Highway Commission of the State of Kentucky then and there acting through its agents and employees in the usual and customary performance of their duties as such; and,

Whereas, the said Clay Lightfoot, as the sole, direct and proximate result of his injuries received at the time and place stated by being struck by said truck, died on or about December 14, 1935, and Rena Lightfoot at the time and place stated was seriously, painfully and permanently injured in such a manner as to incapacitate her from the performance of any labor whatever for the remainder of her life; and,

Whereas, the said Clay Lightfoot at the time of his injuries was earning $700.00 per year and was required to expend for medical and hospital expenses prior to his death as a result of his injuries $300.00, and Rena Lightfoot was earning at the time of her injuries $200.00 per year and was required to expend for medical attention, drugs, and doctors' bills for treatment as a result of her injuries $350.00; and,

Whereas, the injuries of the said Clay Lightfoot, de-

ceased, and the injuries of Rena Lightfoot, and of each of them, were caused and produced by the carelessness and negligence of the State Highway Commission then and there acting through its agents and employees then and there in the performance of their duties as such while they themselves, and each of them, were free of any negligence whatever which attributed to or in any wise brought about their said injuries: Now, Therefore,

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the personal representative of the estate of Clay Lightfoot, deceased, and Rena Lightfoot be, and they hereby are, authorized and permitted to sue the Commonwealth of Kentucky and the State Highway Commission of the State of Kentucky, or either of them, in the circuit court held in and for Warren County in the State of Kentucky, this being the county of their residence and the county in which said collision occurred and in which said claims for damages arose, for such damages, if any, as they, and each of them, may have suffered by reason of the injuries received and the resulting death of Clay Lightfoot, deceased, therefrom, arising through the carelessness or negligence of the State Highway Commission of the State of Kentucky, then and there acting through its agents or employees.

§ 2. Said suit of the said Rena Lightfoot shall be for an amount not exceeding the sum of $5,000.00, and said suit by the personal representative of the estate of Clay Lightfoot, deceased, shall be for an amount not exceeding $15,000.00, and in the event any judgment or judgments are recovered by the personal representative of the estate of Clay Lightfoot, deceased, and by Rena Lightfoot in said suits for damages, or in the event either or both of said suits are compromised or settled, the amount or amounts of said judgment or judgments or the amount or amounts of a compromise or settlement growing out of said suits and terminating same shall

be paid by the Auditor of Public Accounts by a warrant or warrants drawn on the State Treasury of the State of Kentucky, and payable out of the General Fund.

Either party in either of said suits may appeal from any judgment which may be rendered herein as in any other civil suit, and each of said suits, may be settled and adjusted with the consent and approval of the Attorney General of the State of Kentucky in the same manner as in any other civil suit.

Ordered, that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Harry Davis	Clyde S. Howard
C. W. Anderson, Jr.	Sam Dever	Ira W. Hulette
H. T. Baker	Stanley S. Dickson	John M. Hunnicut
B. F. Bedford	George W. Dunlap	Ben W. Johnson
Reuben J. Boling	Howard G. Early	J. H. Jones
Ollie J. Bowen	Walter R. Fannin	O. C. Jones
Wallace Brown	T. P. Fitzpatrick	R. T. Kirkman
Dr. R. A. Byers	James Garnett, Jr.	J. F. Ladd
Jas. C. Carter	G. W. Garrett	Robert E. Lee
V. O. Chandler	Ferd A. Gnau	John L. McDermott
Floyd Clark	Eugene Gough	Lloyd MacDonald
Roscoe Claxon	Ben Grogan	W. F. McGary
George S. Clay	C. L. Hammons	Elmer McGlothen
J. A. Coleman	W. L. Hampton, Jr.	G. S. Milam
Roy Conway	Thomas W. Hines	W. H. Miller
Herbert Cook	Price Holbrook	John B. Mollett

W. E. Mull	John C. Robinson	H. C. Steely
Tyler Munford	W. T. Rollo	Dr. H. S. Swope
J. C. Nickell	A. W. Ross	W. R. Tapp
Russell O'Neill	Carl Scheben	R. Van Bever, Jr.
A. W. Pfeiffer	Carl Schneider	Joseph L. Wall
J. C. Ramey	Ray O. Shehan	Henry Ward
Hobart Rayburn	Dr. B. F. Shields	L. R. Wells
Harry C. Records	P. L. Sidebottom	W. G. Williams
L. K. Rice	Chester D. Silvers	Charles Wylie
Wade H. Riley	Bruce Sloan	—77

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a resolution entitled:

S. Res. 24. Resolution authorizing Nina Ruth Bennett to sue the Commonwealth of Kentucky and the State Highway Commission, or either.

Said resolution is as follows, viz.:

Whereas, on or about the twenty-ninth day of November, 1934, Nina Ruth Bennett, a resident of Bardstown, Nelson County, Kentucky, received severe injuries to her back, spine, head and body while traveling on the state highway leading from Springfield to Perryville in Washington County, Kentucky, wherein it is claimed that the said injuries were caused by the car in which she was riding, running on, over and across a large hole in said highway about five feet wide and two feet deep at the widest and deepest point and which hole extended across most of the highway and that the Common-

wealth of Kentucky and/or the State Highway Commission by and through its agents and employees knew or by the exercise of ordinary care should have known of the existence of said condition and that the defective condition of the highway was the proximate cause of her injuries: Therefore,

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

That Nina Ruth Bennett be, and she is hereby, authorized and permitted to sue the Commonwealth and the State Highway Commission, or either, in the Nelson Circuit Court, the county of the residence of said Nina Ruth Bennett, for damages for the loss of earning power, physical and mental suffering and permanent injuries and for hospital and medical bills of the said Nina Ruth Bennett, which were all brought about and caused by the negligence of the employees of the Commonwealth of Kentucky and/or the State Highway Commission. Said suit shall be for any amount not exceeding five thousand ($5,000.00) dollars, and in the event any judgment is recovered by said Nina Ruth Bennett in said suit for injuries to herself, or same is compromised or settled, said judgment shall be paid by the Auditor of Public Accounts by warrant drawn on the State Treasurer and paid out of the State Highway Fund.

Either party to said suit may appeal from any judgment which may be entered therein as in any other civil suits, and the case may be settled and adjusted with the consent and approval of the Attorney General of Kentucky in the same way as any other civil action.

Ordered, that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said

resolution in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Eugene Gough	Russell O'Neill
C. W. Anderson, Jr.	Ben Grogan	A. W. Pfeiffer
H. T. Baker	C. L. Hammons	J. C. Ramey
B. F. Bedford	W. L. Hampton, Jr.	Hobart Rayburn
Reuben J. Boling	Thomas W. Hines	Harry C. Records
Ollie J. Bowen	Price Holbrook	L. K. Rice
Wallace Brown	Clyde S. Howard	Wade H. Riley
Dr. R. A. Byers	Ira W. Hulette	John C. Robinson
Jas. C. Carter	John M. Hunnicut	W. T. Rollo
Floyd Clark	Ben W. Johnson	A W. Ross
Roscoe Claxon	J. H. Jones	Carl Scheben
George S. Clay	O. C. Jones	Carl Schneider
J. A. Coleman	R. T. Kirkman	Ray O. Shehan
Roy Conway	J. F. Ladd	Dr. B. F. Shields
Herbert Cook	Robert E. Lee	P. L. Sidebottom
Harry Davis	John L. McDermott	Chester D. Silvers
Sam Dever	Lloyd MacDonald	Bruce Sloan
Stanley S. Dickson	W. F. McGary	H. C. Steely
George W. Dunlap	Elmer McGlothen	Dr. H. S. Swope
Howard G. Early	G. S. Milam	W. R. Tapp
Walter R. Fannin	W. H. Miller	R. Van Bever, Jr.
T. P. Fitzpatrick	John B. Mollett	Joseph L. Wall
James Garnett, Jr.	W. E. Mull	Henry Ward
G. W. Garrett	Tyler Munford	L. R. Wells
Ferd A. Gnau	J. C. Nickell	Charles Wylie

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Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a resolution entitled:

S. Res. 22. Resolution authorizing and permitting Charlie Coogle to sue the Commonwealth of Kentucky and the State Highway Commission or either.

Said resolution is as follows, viz.:

Whereas, in the fall of 1935, while driving an automobile on the Elizabethtown-Vertrees Road, Charlie Coogle was run into a by a truck which was owned at the time and being operated by the employees of the State Highway Commission and was severely, painfully and permanently injured on and about the shoulder, arm and hand, and whereas it is claimed that said collision was entirely caused and brought about by the gross negligence and gross carelessness of the agents, servants and employees of the said State Highway Commission in the operation of said truck belonging to the State of Kentucky, or the State Highway Commission, and whereas he sustained said serious, painful and permanent injuries because of the alleged carelessness and negligence of the said employees while in the discharge and conduct of the state's business: Therefore,

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

§ 1. That said Charlie Coogle be, and he hereby is, authorized and permitted to sue the Commonwealth of Kentucky and the State Highway Commission, or either in the Circuit Court of the county of his residence, for such damages as he may have suffered if any, by reason of any injuries received by him through the carelessness or negligence of the State Highway Commission, its agents or employees. Said suit shall be for any amount not exceeding the sum of $2,500.00, and in the event any judgment is recovered by said Charlie Coogle in said suit for injuries to himself, or same

is compromised or settled, same shall be paid by the Auditor of Public Accounts by warrant drawn on the State Treasury and paid out of the general fund.

§ 2. Either party to said suit may appeal from any judgment which may be entered therein as in any other Civil Suit and the case may be settled and adjusted with the consent and approval of the Attorney General of Kentucky in the same way as any other civil case.

Ordered, that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Stanley S. Dickson	Ben W. Johnson
C. W. Anderson, Jr.	George W. Dunlap	J. H. Jones
H. T. Baker	Howard G. Early	O. C. Jones
B. F. Bedford	Walter R. Fannin	R. T. Kirkman
Reuben J. Boling	T. P. Fitzpatrick	J. F. Ladd
Ollie J. Bowen	James Garnett, Jr.	Robert E. Lee
Wallace Brown	G. W. Garrett	John L. McDermott
Dr. R. A. Byers	Ferd A. Gnau	Lloyd MacDonald
Jas. C. Carter	Eugene Gough	W. F. McGary
Floyd Clark	Ben Grogan	Elmer McGlothen
Roscoe Claxon	C. L. Hammons	G. S. Milam
George S. Clay	W. L. Hampton, Jr.	W. H. Miller
J. A. Coleman	Thomas W. Hines	John B. Mollett
Roy Conway	Price Holbrook	W. E. Mull
Herbert Cook	Clyde S. Howard	Tyler Munford
Harry Davis	Ira W. Hulette	J. C. Nickell
Sam Dever	John M. Hunnicut	Russell O'Neill

A. W. Pfeiffer	A. W. Ross	H. C. Steely
J. C. Ramey	Carl Scheben	Dr. H. S. Swope
Hobart Rayburn	Carl Schneider	W. R. Tapp
Harry C. Records	Ray O. Shehan	R. Van Bever, Jr.
L. K. Rice	Dr. B. F. Shields	Joseph L. Wall
Wade H. Riley	P. L. Sidebottom	Henry Ward
John C. Robinson	Chester D. Silvers	L. R. Wells
W. T. Rollo	Bruce Sloan	Charles Wylie

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Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a resolution entitled:

S. Res. 19. Resolution authorizing R. A. Bodkin and W. H. Coathes to sue the Commonwealth of Kentucky and the State Highway Commission or either.

Said resolution is as follows, viz.:

Whereas, in the year 1925, by condemnation proceedings, the Commonwealth of Kentucky acquired, from M. E. Anderson and N. B. Anderson, in Carlisle County, Kentucky, a strip of land sixty feet in width and about one mile in length, for the purpose of constructing a hard surface road thereon, which road is at present known as State Project No. 1 and Federal Project No. 131; and,

Whereas, a stream of water known as Truman Creek flowed under said highway; and,

Whereas, the State Highway Commission did begin the construction of said highway where the present highway now runs, from Bardwell, Kentucky, north to Wickliffe, Ken-

tucky, in the year 1926 and which highway was, by said Highway Commission, completed in the year 1930; and,

Whereas, in the construction of said highway, the State Highway Commission did cut some very deep barrow pits or canals lengthwise with said highway and deeper than the bed of Truman creek and did divert the waters which had formerly flown in Truman creek from its original channel and through said barrow pit for a distance of more than a mile and which did cause the original channel of Truman creek to fill up with earth and sand by reason of the way the barrow pits or canals were so cut or constructed; and,

Whereas, the original channel of Truman creek, on the east side of said public highway and from the point where the barrow pit or canal was cut from Truman creek, lengthwise with its highway, and which changed the water course so that Truman creek has not existed since, because it was filled up with earth and sand for a distance of a mile and a half; and,

Whereas, in 1928, the State Highway Commission did plant a lot of growing willows in said barrow pit or canal, so constructed by it, and did construct a wire fence in the bed and bottom of said barrow pit or canal and that said willows have grown in great volume and, together with the fence constructed therein, have caught new earth and sediment and have caused said barrow pit or canal to fill up to such an extent that the waters from Truman creek will not flow therein but are spreading over the lands of M. E. Anderson and N. B. Anderson and, yearly, since 1928, have been backing up and filling up the channel of Truman creek with new made earth and sand; and,

Whereas, R. A. Bodkin and W. H. Coathes own a tract of land, consisting of 180 acres, which lies just above and adjacent to and on the west side of said highway and on Truman creek; and,

Whereas, in 1932, 1933, 1934, and 1935, thirty-four acres

of said tract of land of R. A. Bodkin and W. H. Coathes begun to be overflown by the waters from Truman creek and which land has been overflown yearly with the waters from Truman creek for the years 1932, 1933, 1934, and 1935, which destroyed their crops growing thereon, through the crop season, and has injured and destroyed their land, because of the filing up of the channel of Truman creek below their land and causing the waters to back up over their land and stand; and,

Whereas, the waters of Truman creek had never, prior to 1932, backed up and overflown and injured the lands, fences and crops thereon; and,

Whereas, they have lost and have been damaged in their crops and fences, which were washed down, injured, and destroyed, and their lands damaged; and,

Whereas, all of which has been brought about solely by the negligent construction and maintenance of said highway and in the changing of the channel of Truman creek; and,

Whereas, the said R. A. Bodkin and W. H. Coathes have been damaged and sustained damages by reason of the careless and negligent construction of said State highway by the State Highway Commission in the construction of said highway, said barrow pit or canal, and in the diversion of the waters of Truman creek and in the filling up of said canal or barrow pit, since 1928, and of the channel of Truman creek which caused the waters, since 1931, to overflow the lands of R. A. Bodkin and W. H. Coathes and destroy their growing crops, fences, and injure their lands: Therefore,

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

§ 1. That R. A. Bodkin and W. H. Coathes be and they are hereby authorized and permitted to sue the Commonwealth of Kentucky and the State Highway Commission, or either of them, in the Circuit Court of the county of Carlisle, where said land is situated, for such damages as they may

have sustained, if any, by reason of injury or damages received by them for the destruction of growing crops during the years of 1932, 1933, 1934, and 1935, and the use of said lands so covered with water, and their fencing, and such damages or injury to their land by reason of its having been overflown by the waters from Truman creek through the carelessness or negligence of the State Highway Commission, its agents or employees. Said suit shall be for any amount and, in the event a judgment is recovered by said R. A. Bodkin and W. H. Coathes in said suit for damages or same is compromised or settled, same shall be paid by the auditor of public accounts by warrant drawn on the State Treasury and paid out of the general funds.

Second, either party to said suit may appeal from any judgment which may be entered therein and the same procedure shall be followed as is provided in the Civil Code for other civil suits and the case may be settled and adjusted with the consent and approval of the Attorney General of Kentucky in the same way as any other civil case.

Ordered, that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Ollie J. Bowen	Roscoe Claxon
C. W. Anderson, Jr.	Wallace Brown	George S. Clay
H. T. Baker	Dr. R. A. Byers	J. A. Coleman
B. F. Bedford	Jas. C. Carter	Roy Conway
Reuben J. Boling	Floyd Clark	Herbert Cook

Harry Davis	J. H. Jones	L. K. Rice
Sam Dever	O. C. Jones	Wade H. Riley
Stanley S. Dickson	R. T. Kirkman	John C. Robinson
George W. Dunlap	J. F. Ladd	W. T. Rollo
Howard G. Early	Robert E. Lee	A. W. Ross
Walter R. Fannin	John L. McDermott	Carl Scheben
T. P. Fitzpatrick	Lloyd MacDonald	Carl Schneider
James Garnett, Jr.	W. F. McGary	Ray O. Shehan
G. W. Garrett	Elmer McGlothen	Dr. B. F. Shields
Ferd A. Gnau	G. S. Milam	P. L. Sidebottom
Eugene Gough	W. H. Miller	Chester D. Silvers
Ben Grogan	John B. Mollett	Bruce Sloan
C. L. Hammons	W. E. Mull	H. C. Steely
W. L. Hampton, Jr.	Tyler Munford	Dr. H. S. Swope
Thomas W. Hines	J. C. Nickell	W. R. Tapp
Price Holbrook	Russell O'Neill	R. Van Bever, Jr.
Clyde S. Howard	A. W. Pfeiffer	Joseph L. Wall
Ira W. Hulette	J. C. Ramey	Henry Ward
John M. Hunnicut	Hobart Rayburn	L. R. Wells
Ben W. Johnson	Harry C. Records	Charles Wylie

—75

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a resolution entitled:

S. Res. 18. Resolution authorizing Boone Dick to sue the Commonwealth of Kentucky and the State Highway Commission or either.

Said resolution is as follows, viz.:

Whereas, in the year 1925, by condemnation proceedings,

the Commonwealth of Kentucky acquired, from M. E. Anderson and N. B. Anderson, in Carlisle County, Kentucky, a strip of land sixty feet in width and about one mile in length, for the purpose of constructing a hard surface road thereon, which road is at present known as State Project No. 1 and Federal Project No. 131; and,

Whereas, a stream of water known as Truman creek flower under said highway; and,

Whereas, the State Highway Commission did begin the construction of said highway where the present highway now runs, from Bardwell, Kentucky, north to Wickliffe, Kentucky, in the year 1926 and which highway was, by said Highway Commission, completed in the year 1930; and,

Whereas, in the construction of said highway, the State Highway Commission did cut some very deep barrow pits or canals lengthwise with said highway and deeper than the bed of Truman creek and did divert the waters which had formerly flown in Truman creek from its original channel and through said barrow pit for a distance of more than a mile and which did cause the original channel of Truman creek to fill up with earth and sand by reason of the way the barrow pits or canals were so cut or constructed; and,

Whereas, the original channel of Truman creek, on the east side of said public highway and from the point where the barrow pit or canal was cut from Truman creek, lengthwise with its highway, and which changed the water course so that Truman creek has not existed since, because it was filled up with earth and sand for a distance of a mile and a half; and,

Whereas, in 1928, the State Highway Commission did plant a lot of growing willows in said barrow pit or canal, so constructed by it, and did construct a wire fence in the bed and bottom of said barrow pit or canal and that said willows have grown in great volume and, together with the fence constructed therein, have caught new earth and sediment and have caused said barrow pit or canal to fill up to such an

extent that the waters from Truman creek will not flow therein but are spreading over the lands of Boone Dick and, yearly since 1928, have been backing up and filling up the channel of Truman creek with new made earth and sand; and,

Whereas, Boone Dick owns a track of land consisting of 171 acres which lies just above and adjacent to and on the west side of said highway and on Truman creek; and,

Whereas, in 1932, 1933, 1934, and 1935, thirty-seven acres of said tract of land of Boone Dick begun to be overflown by the waters from Truman creek and which lands has been overflown yearly with the waters from Truman creek for the years 1932, 1933, 1934, and 1935, which destroyed his crops growing thereon, through the crop season, and has injured and destroyed his land because of the filling up of the channel of Truman creek below his land and causing the waters to back up over his land and stand; and,

Whereas, the waters of Truman creek had never, prior to 1932, backed up and overflown and injured the lands, fences, and crops thereon; and,

Whereas, he has lost and has been damaged in his crops and fences, which were washed down, injured, and destroyed, and his lands damaged; and,

Whereas, all of which has been brought about solely by the negligent construction and maintenance of said highway and in the changing of the channel of Truman creek; and,

Whereas, the said Boone Dick has been damaged and sustained damages by reason of the careless and negligent construction of said state highway by the State Highway Commission in the construction of said highway, said barrow pit or canal, and in the diversion of the waters of Truman creek and in the filling up of said canal or barrow pit, since 1928, and of the channel of Truman creek which caused the waters, since 1931, to overflow the lands of Boone Dick and destroy his growing crops, fences, and injure his lands: Therefore,

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Boone Dick be and he is hereby authorized and permitted to sue the Commonwealth of Kentucky and the State Highway Commission, or either of them, in the Circuit Court of the county of Carlisle, where said land is situated, for such damages as he may have sustained, if any, by reason of injury or damages received by him for the destruction of growing crops during the years of 1932, 1933, 1934, and 1935, and the use of said lands so covered with water, and his fencing, and such damages or injury to his land by reason of its having been overflown by the waters from Truman creek through the carelessness or negligence of the State Highway Commission, its agents or employees. Said suit shall be for any amount, and in the event a judgment is recovered by said Boone Dick in said suit for damages or same is compromised or settled, same shall be paid by the auditor of public accounts by warrant drawn on the State Treasury and paid out of the general funds.

Second, either party to said suit may appeal from any judgment which may be entered therein and the same procedure shall be followed as is provided in the Civil Code for other civil suits and the case may be settled and adjusted with the consent and approval of the Attorney General of Kentucky in the same way as any other civil case.

Ordered, that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Eugene Gough	Russell O'Neill
C. W. Anderson, Jr.	Ben Grogan	A. W. Pfeiffer
H. T. Baker	C. L. Hammons	J. C. Ramey
B. F. Bedford	W. L. Hampton, Jr.	Hobart Rayburn
Reuben J. Boling	Thomas W. Hines	Harry C. Records
Ollie J. Bowen	Price Holbrook	L. K. Rice
Wallace Brown	Clyde S. Howard	Wade H. Riley
Dr. R. A. Byers	Ira W. Hulette	W. T. Rollo
Jas. C. Carter	John M. Hunnicut	A. W. Ross
Floyd Clark	Ben W. Johnson	Carl Scheben
Roscoe Claxon	J. H. Jones	Carl Schneider
George S. Clay	O. C. Jones	Ray O. Shehan
J. A. Coleman	R. T. Kirkman	Dr. B. F. Shields
Roy Conway	J. F. Ladd	P. L. Sidebottom
Herbert Cook	Robert E. Lee	Chester D. Silvers
Harry Davis	John L. McDermott	Bruce Sloan
Sam Dever	Lloyd MacDonald	H. C. Steely
Stanley S. Dickson	W. F. McGary	Dr. H. S. Swope
George W. Dunlap	Elmer McGlothen	W. R. Tapp
Howard G. Early	G. S. Milam	R. Van Bever, Jr.
Walter R. Fannin	W. H. Miller	Joseph L. Wall
T. P. Fitzpatrick	John B. Mollett	Henry Ward
James Garnett, Jr.	W. E. Mull	L. R. Wells
G. W. Garrett	Tyler Munford	Charles Wylie
Ferd A. Gnau	J. C. Nickell	—74

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a resolution entitled:

S. Res. 17. Resolution authorizing R. E. Stanley to sue the Commonwealth of Kentucky and the State Highway Com mission or either.

Said resolution is as follows, viz.:

Whereas, in the year 1925, by condemnation proceedings, the Commonwealth of Kentucky acquired from M. E. Anderson and N. B. Anderson, in Carlisle County, Kentucky, a strip of land sixty feet in width and about one mile in length, for the purpose of constructing a hard surface road thereon, which road is at present known as State Project No. 1 and Federal Project No. 131; and,

Whereas, a stream of water known as Truman creek flowed under said highway; and,

Whereas, the State Highway Commission did begin the construction of said highway where the present highway now runs, from Bardwell, Kentucky, north to Wickliffe, Kentucky, in the year 1926 and which highway was, by said Highway Commission, completed in the year 1930; and,

Whereas, in the construction of said highway, the State Highway Commission did cut some very deep barrow pits or canals lengthwise with said highway and deeper than the bed of Truman creek and did divert the waters which had formerly flown in Truman creek from its original channel and through said barrow pit for a distance of more than a mile and which did cause the original channel of Truman creek to fill up with earth and sand by reason of the way the barrow pits or canals were so cut or constructed; and,

Whereas, the original channel of Truman creek, on the east side of said public highway and from the point where the barrow pit or canal was cut from Truman creek, lengthwise with its highway, and which changed the water course so that Truman creek has not existed since, because it was filled up with earth and sand for a distance of a mile and a half; and,

Whereas, in 1928, the State Highway Commission did plant a lot of growing willows in said barrow pit or canal, so

constructed by it, and did construct a wire fence in the bed and bottom of said barrow pit or canal and that said willows have grown in great volume and, together with the fence constructed therein, have caught new earth and sediment and have caused said barrow pit or canal to fill up to such an extent that the waters from Truman creek will not flow therein but are spreading over the lands of M. E. Anderson and N. B. Anderson and, yearly, since 1928, have been backing up and filling up the channel of Truman creek with new made earth and sand; and,

Whereas, R. E. Stanley owns a tract of land, consisting of 143 1-3 acres, which lies just above and adjacent to and on the west side of said highway and on Truman creek; and,

Whereas, in 1932, 1933, 1934, and 1935, twenty acres of said tract of land of R. E. Stanley begun to be overflown by the waters from Truman creek and which land has been overflown yearly with the waters from Truman creek for the years 1932, 1933, 1934, and 1935, which destroyed the crops growing thereon, through the crop season, and has injured and destroyed the land, because of the fillnig up of the channel of Truman creek befow his land and causing the waters to back up over his land and stand; and,

Whereas, the waters of Truman creek had never, prior to 1932, backed up and overflown and injured the lands, fences, and crops thereon; and,

Whereas, he has lost and has been damaged in his crops and fences, which were washed down, injured and destroyed, and his lands damaged; and,

Whereas, all of which has been brought about solely by the negligent construction and maintenance of said highway and in the changing of the channel of Truman creek; and,

Whereas, the said R. E. Stanley has been damaged and sustained damages by reason of the careless and negligent construction of said state highway by the State Highway Commission in the construction of said highway, said barrow pit

or canal, and in the diversion of the waters of Truman creek and in the filling up of said canal or barrow pit, since 1928, and of the channel of Truman creek which caused the waters, since 1931, to overflow the lands of R. E. Stanley and destroy his growing crops and fences and injure his lands: Therefore,

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

That R. E. Stanley be and he is hereby authorized and permitted to sue the Commonwealth of Kentucky and the State Highway Commission, or either of them, in the Circuit Court of the county of Carlisle, where said land is situated, for such damages as he may have sustained, if any, by reason of injury or damage received by him for the destruction of growing crops during the years of 1932, 1933, 1934, and 1935, and the use of said lands so covered with water, and his fencing, and such damages or injury to his land by reason of its having been overflown by the waters from Truman creek through the carelessness or negligence of the State Highway Commission, its agents or employees. Said suit shall be for any amount and, in the event a judgment is received by said R. E. Stanley in said suit for damages or same is compromised or settled, same shall be paid by the auditor of public accounts by warrant drawn on the State Treasury and paid out of the general funds.

Second, either party to said suit may appeal from any judgment which may be entered therein and the same procedure shall be followed as is provided in the Civil Code for other civil suits and the case may be settled and adjusted with the consent and approval of the Attorney General of Kentucky in the same way as any other civil case.

Ordered, that said resolution be read the third time.

The Constitutional provision as to the third reading of

said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Eugene Gough	Russell O'Neill
C. W. Anderson, Jr.	Ben Grogan	A. W. Pfeiffer
H. T. Baker	C. L. Hammons	J. C. Ramey
B. F. Bedford	W. L. Hampton, Jr.	Hobart Rayburn
Reuben J. Boling	Thomas W. Hines	Harry C. Records
Ollie J. Bowen	Price Holbrook	L. K. Rice
Wallace Brown	Clyde S. Howard	Wade H. Riley
Dr. R. A. Byers	Ira W. Hulette	John C. Robinson
Jas. C. Carter	John M. Hunnicut	W. T. Rollo
Floyd Clark	Ben W. Johnson	A. W. Ross
Roscoe Claxon	J. H. Jones	Carl Scheben
George S. Clay	O. C. Jones	Carl Schneider
J. A. Coleman	R. T. Kirkman	Ray O. Shehan
Roy Conway	J. F. Ladd	Dr. B. F. Shields
Herbert Cook	Robert E. Lee	P. L. Sidebottom
Harry Davis	John L. McDermott	Chester D. Silvers
Sam Dever	Lloyd MacDonald	Bruce Sloan
Stanley S. Dickson	W. F. McGary	H. C. Steely
George W. Dunlap	Elmer McGlothen	Dr. H. S. Swope
Howard G. Early	G. S. Milam	W. R. Tapp
Walter R. Fannin	W. H. Miller	R. Van Bever, Jr.
T. P. Fitzpatrick	John B. Mollett	Joseph L. Wall
James Garnett, Jr.	W. E. Muli	Henry Ward
G. W. Garrett	Tyler Munford	L. R. Wells
Ferd A. Gnau	J. C. Nickell	Charles Wylie

—75

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said resolution

was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a resolution entitled:

S. Res. 7. A Resolution authorizing R. L. Bayne and Dell Brown to sue the Commonwealth of Kentucky and the State Highway Commission.

Said resolution is as follows, viz.:

Whereas, in the Summer of 1934, the State Highway Commission of Kentucky constructed a "Y" junction over a strip of land obtained from R. L. Bayne in Shelby County and adjacent to a field of tobacco owned by said R. L. Bayne and Dell Brown; and,

Whereas, by the construction of said junction, dust, dirt, lime and other damaging substances were blown and washed over said tobacco greatly damaging it to the great loss to said Bayne and Brown, depriving the said Brown of this year's work: Therefore,

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

§ 1. That R. L. Bayne and Dell Brown be and they are hereby authorized and permitted to sue the Commonwealth of Kentucky and the State Highway Commission in the Circuit Court of Shelby County, Kentucky, for such damages as they may have sustained by reason of the dirt and debris permitted to be blown and thrown on their said tobacco.

No recovery shall be for a greater sum than $750.00.

No plea of limitation shall be interposed.

The Attorney General may investigate and compromise said claim if he deems advisable.

If recovery is had by suit or compromise, the amount so adjudged or compromised shall be paid by the Auditor of Public Accounts by warrant drawn on the State Treasurer and paid out of the general fund.

Ordered, that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	T. P. Fitzpatrick	W. F. McGary
C. W. Anderson, Jr.	James Garnett, Jr.	Elmer McGlothen
H. T. Baker	G. W. Garrett	G. S. Milam
B. F. Bedford	Ferd A. Gnau	W. H. Miller
Reuben J. Boling	Eugene Gough	John B. Mollett
Ollie J. Bowen	Ben Grogan	W. E. Mull
Wallace Brown	C. L. Hammons	Tyler Munford
Dr. R. A. Byers	W. L. Hampton, Jr.	J. C. Nickell
Jas. C. Carter	Thomas W. Hines	Russell O'Neill
Floyd Clark	Price Holbrook	A. W. Pfeiffer
Roscoe Claxon	Clyde S. Howard	J. C. Ramey
George S. Clay	Ira W. Hulette	Hobart Rayburn
J. A. Coleman	John M. Hunnicut	Harry C. Records
Roy Conway	Ben W. Johnson	L. K. Rice
Herbert Cook	J. H. Jones	Wade H. Riley
Harry Davis	O. C. Jones	John C. Robinson
Sam Dever	R. T. Kirkman	W. T. Rollo
Stanley S. Dickson	J. F. Ladd	A. W. Ross
George W. Dunlap	Robert E. Lee	Carl Scheben
Howard G. Early	John L. McDermott	Carl Schneider
Walter R. Fannin	Lloyd MacDonald	Ray O. Shehan

Dr. B. F. Shields	H. C. Steely	Joseph L. Wall
P. L. Sidebottom	Dr. H. S. Swope	Henry Ward
Chester D. Silvers	W. R. Tapp	L. R. Wells
Bruce Sloan	R. Van Bever, Jr.	Charles Wylie

—75

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a resolution entitled:

S. Res. 6. Resolution authorizing R. Young and Joseph Young to sue the Commonwealth of Kentucky and the State Highway Commission, or either.

Said resolution is as follows, viz.:

Whereas, on March 23, 1935, Joseph Young, of Daviess County, Kentucky, was driving a wagon and team, the wagon being loaded with coal, along and over Highway 60, immediately east of Owensboro, in Daviess County, Kentucky, and was traveling east on his right hand side of the road, a portion of his wagon and team traveling on the shoulder of the road on his right. Said team of horses and wagon was the property of R. Young, and Joseph Young was driving said team of horses and wagon as the agent and servant of R. Young. Traveling west on said Highway 60 at said time were two trucks owned by the State Highway Commission and at the time engaged in its service. One of said trucks was attached to the rear of the other by a cable some ten or twelve feet long, and while being driven west along said highway by an employee of the State Highway Commission the rear truck

was by the carelessness and negligence of the driver permitted to sway from side to side of the road, and by reason of the carelessness and negligence of the employees of the State Highway Commission in charge of said trucks, said rear truck was permitted to swing with great force across said highway striking said wagon and team driven by Joseph Young in such a manner as to demolish said wagon, kill both horses, throwing the driver, Joseph Young, from the wagon to the pavement severely injuring and bruising him around the head and body to such an extent that the injuries he received are permanent. Said accident was caused and brought about by the trucks being used and operated at said time by the employees of the State Highway Commission in the performance of their duties; and,

Whereas, the said R. Young by reason of the carelessness and negligence of the State Highway Commission and its employees engaged in the performance of their duties in using said truck, is deprived of two horses and his wagon; and Joseph Young severely injured, bruised and permanently injured by reason of said negligence, all of which damage and injuries were caused and brought about by the alleged carelessness and negligence of the employees of the State Highway Commission in the conduct of the State's business: Therefore,

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

That said R. Young and Joseph Young are hereby authorized and permitted to sue the Commonwealth of Kentucky and the State Highway Commission, or either, in the Circuit Court of the County of their residence for such damages for personal injuries and property they or either of them may have suffered, if any, by reason of or received by them through the carelessness or negligence of the State Highway Commission, its agents or employees. Said suit for R. Young for property damage shall be for any amount not exceeding

the sum of $500.00, and said suit for Joseph Young for personal injuries received by him shall be for any amount not exceeding the sum of $3,000.00, and in the event any judgment is recovered by said R. Young for property damage or by Joseph Young for personal injuries received by him or same is compromised or settled, same shall be paid by the Auditor of Public Accounts by warrants drawn on the State Treasury and paid out of the general fund.

§ 2. Either party to said suit or suits may appeal from any judgment which may be entered therein as in any other civil suit, and the case may be settled and adjusted by and with the consent and approval of the Attorney General of Kentucky in the same way as any other civil case may be settled or adjusted.

Ordered, that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Roscoe Claxon	Walter R. Fannin
C. W. Anderson, Jr.	George S. Clay	T. P. Fitzpatrick
H. T. Baker	J. A. Coleman	James Garnett, Jr.
B. F. Bedford	Roy Conway	G. W. Garrett
Reuben J. Boling	Herbert Cook	Ferd A. Gnau
Ollie J. Bowen	Harry Davis	Eugene Gough
Wallace Brown	Sam Dever.	Ben Grogan
Dr. R. A. Byers	Stanley S. Dickson	C. L. Hammons
Jas. C. Carter	George W. Dunlap	W. L. Hampton, Jr.
Floyd Clark	Howard G. Early	Thomas W. Hines

Price Holbrook	W. H. Miller	Carl Scheben
Clyde S. Howard	John B. Mollett	Carl Schneider
Ira W. Hulette	W. E. Mull	Ray O. Shehan
John M. Hunnicut	Tyler Munford	Dr. B. F. Shields
Ben W. Johnson	J. C. Nickell	P. L. Sidebottom
J. H. Jones	Russell O'Neill	Chester D. Silvers
O. C. Jones	A. W. Pfeiffer	Bruce Sloan
R. T. Kirkman	J. C. Ramey	H. C. Steely
J. F. Ladd	Hobart Rayburn	Dr. H. S. Swope
Robert E. Lee	Harry C. Records	W. R. Tapp
John L. McDermott	L. K. Rice	R. Van Bever, Jr.
Lloyd MacDonald	Wade H. Riley	Joseph L. Wall
W. F. McGary	John C. Robinson	Henry Ward
Elmer McGlothen	W. T. Rollo	L. R. Wells
G. S. Milam	A. W. Ross	Charles Wylie

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Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules the following bills were introduced, ordered printed and referred as follows:

By Mr. Myers:

H. B. 613. An Act to amend, repeal and re-enact Section 1991, Kentucky Statutes, 1935, Baldwin's Supplement, relating to the per diem of officers and employees of the General Assembly.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 1991 of Baldwin's Kentucky Statutes Service, 1934 Edition, be repealed, amended and re-enacted so that when repealed, amended and re-enacted it shall read as follows:

(1) All of said employees shall receive a per diem and it shall be as follows:

That of the chief clerk, twenty-six dollars ($26.00); that of the assistant clerk, twenty-six dollars ($26.00); that of the enrolling clerk, twenty-five dollars ($25.00); that of the sergeant-at-arms, twelve dollars ($12.00); that of the doorkeeper, eighteen dollars ($18.00); that of the janitor, nine dollars ($9.00); that of the cloakroom keeper, twelve dollars ($12.00); and that of the pages, eight dollars each ($8.00).

(2) The sum of money necessary to pay the per diem of the employees named above shall be paid by the treasurer to the clerks of the House and Senate upon requisition by the said clerks for the purpose, drawn on the State Auditor. The amount of money requisitioned for by the said clerks shall be distributed by them to the various employees by the clerk of the Senate in the case of Senate employees, and by the clerk of the House in the case of House employees.

(3) The provisions of this act relative to the compensation of the employees of the House and Senate shall be effective and apply to the present session of the General Assembly, provided that there shall be deducted from any amount due said employees such sum or sums as have already been paid them for services rendered during the 1936 session.

(4) Should any section, paragraph, clause or line of this act be construed by the court as being unconstitutional or invalid for any reason, this shall not affect the remainder of this act, it being the purpose of the Legislature to enact each section, paragraph, clause or line of this act separately.

§ 2. Whereas, the employees of the Senate of the Gen-

eral Assembly of the Commonwealth have been unable to obtain the compensation due them for their services rendered at the 1936 session and are unable to pay necessary living expenses and bills created by them, an emergency is declared to exist and this act shall take effect upon its passage and approval by the Governor.

By Mr. Wells:

H. B. 614. An Act establishing as part of the system of State Highways certain roads in Barren County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State Highways of the Commonwealth of Kentucky all roads, or parts of roads in Barren County that are of record as established mail routes, or which may later be designated as regular mail routes, upon certification of such roads to the State Highway Commission by the Fiscal Court of Barren County.

§ 2. That the construction, maintenance, supervision and control of said roads shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920 and all other laws pertaining thereto establishing and creating the primary system of State Highways, to the same effect as if said roads had been named in the original Act as of the projects of the primary system of State Highways as provided therein.

By same:

H. B. 615. An Act establishing as part of the system of State Highways a road known as the Neal's Chapel road in Barren County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State Highways of the Commonwealth of Kentucky a road in Barren County known as the Neal's Chapel road, said road starting at its present junction with Highway No. 80, at Lecta, and proceeding via Neal's Chapel, etc., along its present established route to Randolph.

§ 2. That the construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920, and all other laws pertaining thereto establishing and creating the primary system of State Highways, to the same effect as if said road had been named in the original Act as one of the projects of the primary system of State Highways as provided therein.

By Mr. Wells:

H. B. 616. An Act establishing as part of the system of State Highways a road known as the Coral Hill–Hiseville road in Barren County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State Highways of the Commonwealth of Kentucky a road in Barren County known as the Coral Hill–Hiseville road, said road starting at Coral Hill and continuing to Hiseville town along the present established route in the most practical manner.

§ 2. That the construction, maintenance, supervision and control of said road shall be subject to and controlled by

the provisions of Chapter 17 of the Acts of the General Assembly of 1920, and all other laws pertaining thereto establishing and creating the primary system of State Highways, to the same effect as if said road had been named in the original Act as one of the projects of the primary system of State Highways as provided therein.

By Mr. Wells:

H. B. 617. An Act establishing as part of the system of State Highways a road known as the Slick Rock road in Barren County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State Highways of the Commonwealth of Kentucky a road in Barren County known as the Slick Rock Road, said road starting at its present junction with Highway No. 80, about 7 miles east of Glasgow, and continuing through Slick Rock along its present established route to Randolph.

§ 2. That the construction, maintenance, sopervision and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920, and all other laws pertaining thereto establishing and creating the primary system of State Highways to the same effect as if said road had been named in the original act as one of the projects of the primary system of State Highways as provided therein.

By Mr. Wells:

H. B. 618. An Act establishing as part of the system of State Highways a road known as the Randolph-Edmonton road in Metcalfe County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby establsihed as a part of the primary system of State Highways of the Commonwealth of Kentucky a road in Metcalfe County known as the Randolph-Edmonton road, said road starting at Randolph and proceeding to Edmonton by the most practical manner with respect to its present established route.

§ 2. That the construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920, and all other laws pertaining thereto establishing and creating the primary system of State Highways, to the same effect as if said road had been named in the original Act as one of the projects of the primary system of State Highways as provided therein.

By Mr. Wells:

H. B. 619. An Act establishing as part of the system of State Highways a road known as the Beckton–Red Cross Road in Barren County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State Highways of the Commonwealth of Kentucky a road in Barren County known as the Beckton–Red Cross road, said road starting at the city of Glasgow at the end of the Cleveland avenue and continuing along its present established route via Beckton, thence to Red Cross and thence to Bailton.

§ 2. That the construction, maintenance, supervision

and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920, and all other laws pertaining thereto establishing and creating the primary system of State Highways, to the same effect as if said road had been named in the original Act as one of the projects of the primary system of State Highways as provided therein.

By Mr. Wells:

H. B. 620. An Act establishing as part of the system of State Highways a road known as the Beckton–Rocky Hill road in Barren County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State Highways of the Commonwealth of Kentucky a road in Barren County known as the Beckton–Rocky Hill road, said road starting at Beckton and proceeding to Rocky Hill via its present established route.

§ 2. That the construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920, and all other laws pertaining thereto establishing and creating the primary system of State Highways, to the same effect as if said road had been named in the original Act as one of the projects of the primary system of State Highways as provided therein.

By Mr. Wells:

H. B. 621. An Act establishing as part of the system of State Highways a road known as the Bon Ayr–Rocky Hill road in Barren County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State Highways of the Commonwealth of Kentucky a road in Barren County known as the Bon Ayr–Rocky Hill road, said road starting at Bon Ayr and continuing along its present established route to Rocky Hill.

§ 2. That the construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920, and all other laws pertaining thereto establishing and creating the primary system of State Highways, to the same effect as if said road had been named in the original Act as one of the projects of the primary system of State Highways as provided therein.

By Mr. Wells:

H. B. 622. An Act establishing as part of the system of State Highways a road known as the Railton–Coles Bend road in Barren County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State Highways of the Commonwealth of Kentucky a road in Barren County known as the Railton–Coles Bend road, said road starting at Railton and continuing to Coles Bend along its present established route.

§ 2. That the construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920, and all other laws pertaining thereto estab-

lishing and creating the primary system of State Highways, to the same effect as if said road had been named in the original Act as one of the projects of the primary system of State Highways as provided therein.

By Mr. Wells:

H. B. 623. An Act establishing as part of the system of State Highways a road known as the Temple Hill–Etoile–Austin road in Barren County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State Highways of the Commonwealth of Kentucky a road in Barren County, known as the Temple Hill–Etoile–Austin road, said road starting at Temple Hill, and continuing along the most practical route respecting the present established route to Etoile, thence via Caney Fork to intersection with State Project 295 near Peters Creek, and thence to Austin.

§ 2. That the construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920, and all other laws pertaining thereto establishing and creating the primary system of State Highways, to the same effect as if said road had been named in the original Act as one of the projects of the primary system of State Highways as provided therein.

By Mr. Wells:

H. B. 624. An Act establishing as part of the system of State Highways a road known as the Freedom-Etoile Road in Barren County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State Highways of the Commonwealth of Kentucky, a road in Barren County known as the Freedom-Etoile road, said road starting at its junction with the Glasgow-Tompkinsville road, about ⅓ mile south of Hammett's store at Freedom, and continuing along its present established route to Etoile and thence to junction with State Road No. ..... at or near Roseville.

§ 2. That the construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920, and all other laws pertaining thereto establishing and creating the primary system of State Highways, to the same effect as if said road had been named in the original Act as one of the projects of the primary System of State Highways as provided therein.

To Committee on Rules.

Dr. Shields of the Committee on Rules, to which the same had been referred, reported bills of the following titles:

H. B. 599. An Act relating to the Primary System of Roads and Highways.

H. B. 600. An Act relating to the Primary System of Roads and Highways.

H. B. 601. An Act relating to the Primary System of Roads and Highways.

H. B. 602. An Act relating to the Primary System of Roads and Highways.

H. B. 603. An Act to amend and re-enact Section 1243, Carroll's Kentucky Statutes, 1930 Edition.

H. B. 604. An Act relating to the appointment of employees in all branches of State, County or City Governments.

H. B. 605. An Act relating to the Primary System of Roads and Highways.

H. B. 606. An Act relating to the Primary System of Roads and Highways.

H. B. 607. An Act relating to the Primary System of Roads and Highways.

S. Res. 7. Resolution providing for the purchase of copies of the Legislative Digest adopted at the session of 1912.

S. B. 105. An Act regulating embalming and undertaking.

S. B. 203. An Act relating to the issuance of bonds or other obligations of the county, city or other taxing districts.

H. B. 608. An Act relating to the Primary System of Roads and Highways.

H. B. 609. An Act relating to the Primary System of Roads and Highways.

H. B. 610. An Act relating to the Primary System of Roads and Highways.

H. B. 611. An Act relating to the Primary System of Roads and Highways.

H. B. 612. An Act to appropriate to World War Veterans a bonus of $10 a month, etc.

H. B. 613. An Act relating to per diem of officers and employees of the General Assembly.

H. B. 614. An Act relating to the Primary System of Roads and Highways.

H. B. 615. An Act relating to the Primary System of Roads and Highways.

H. B. 616. An Act relating to the Primary System of Roads and Highways.

H. B. 617. An Act relating to the Primary System of Roads and Highways.

H. B. 618. An Act relating to the Primary System of Roads and Highways.

H. B. 619. An Act relating to the Primary System of Roads and Highways.

H. B. 620. An Act relating to the Primary System of Roads and Highways.

H. B. 621. An Act relating to the Primary System of Roads and Highways.

H. B. 622. An Act relating to the Primary System of Roads and Highways.

H. B. 623. An Act relating to the Primary System of Roads and Highways.

H. B. 624. An Act relating to the Primary System of Roads and Highways.

With the expression of opinion that said bills ought to pass.

Said bills were severally read at length the first time and ordered to be placed on the Calendar.

Mr. Gnau moved that the vote by which the House agreed that when they adjourn today, they adjourn to meet again tomorrow morning at ten o'clock, be reconsidered.

Said motion was agreed to.

Thereafter such reconsideration, Mr. Gnau moved that when the House adjourn today, it adjourn to meet again on Monday, February 10, at One o'Clock P. M.

Said motion was agreed to.

Mr. Hammons moved that the House do now adjourn.

Said motion was agreed to.

MONDAY, FEBRUARY 10, 1936.

The House was opened with prayer by the Reverend E. W. Baxter of the Episcopal Church of Frankfort, Kentucky.

The roll was called and the following members answered to their names, viz.:

F. T. Allen	C. W. Anderson, Jr.	W. T. Baker
Henry H. Allen	H. T. Baker	G. M. Ballard

B. F. Bedford
Reuben J. Boling
Ollie J. Bowen
Wallace Brown
Dr. R. A. Byers
Jas. C. Carter
V. O. Chandler
Floyd Clark
Roscoe Claxon
George S. Clay
J. A. Coleman
Roy Conway
Herbert Cook
Harry Davis
Sam Dever
Stanley S. Dickson
George W. Dunlap
Howard G. Early
Walter R. Fannin
Chas. P. Farnsley
T. P. Fitzpatrick
H. Myer Garner
James Garnett, Jr.
G. W. Garrett
Ferd A. Gnau
Eugene Gough
Ben Grogan
James T. Hamilton
C. L. Hammons
W. L. Hampton, Jr.
Thomas W. Hines
Price Holbrook
Clyde S. Howard
Ira W. Hulette
John M. Hunnicut
Ben W. Johnson
J. H. Jones
O. C. Jones
R. T. Kirkman
J. F. Ladd
Leslie Larrimore
M. T. McCarthy
T. B. McConnell
John L. McDermott
Lloyd MacDonald
W. F. McGary
Elmer McGlothen
John Marshall
C. S. Matherly
D. T. Matlack
Duke Mayfield
G. S. Milam
W. H. Miller
John B. Mollett
W. E. Mull
Tyler Munford
Rodes K. Myers
J. C. Nickell
Russell O'Neill
Mel Petry
A. W. Pfeiffer
J. C. Ramey
Hobart Rayburn
Harry C. Records
L. K. Rice
Wade H. Riley
Joe E. Robinson
John C. Robinson
W. T. Rollo
A. W. Ross
Carl Scheben
Carl Schneider
Ray O. Shehan
Dr. B. F. Shields
P. L. Sidebottom
Chester D. Silvers
Bruce Sloan
H. C. Steely
Henry Stewart
Dr. H. S. Swope
W. R. Tapp
J. J. Thomas
R. Van Bever, Jr.
S. J. Wagner
Joseph L. Wall
Henry Ward
L. R. Wells
W. G. Williams
Charles Wylie

Mr. Davis moved that the reading of the Journal of Friday's proceedings be dispensed with.

Said motion was agreed to.

Mr. Davis moved that the session of today be extended indefinitely.

Said motion was agreed to.

Mr. Hulette moved that the privilege of the floor be extended to Mr. John Wicker of Knott County.

Said motion was agreed to.

Mr. Carter moved that the privilege of the floor be extended to Mr. Thos. E. Bradshaw of Tompkinsville, Kentucky.

Said motion was agreed to.

Mr. Williams moved that the privilege of the floor be extended to Mr. Bradly Davenport, Ray Hendricks and Byron Hendricks.

Said motion was agreed to.

Mr. Hampton moved that the privilege of the floor be extended to Mr. R. W. Kinbell of Hickman County.

Said motion was agreed to.

Mr. Silvers moved that the privilege of the floor be extended to Messrs. Charley Crowe and Dudley B. Veal.

Said motion was agreed to.

Mr. Cook moved that the privilege of the floor be extended to Messrs. H. Bray and J. Bell.

Said motion was agreed to.

Mr. Dunlap moved that the privilege of the floor be extended to Mr. S. L. Wooldridge of Woodford County.

Said motion was agreed to.

The Clerk read to the House the following communication from the Frankfort Ministerial Association, viz.:

Whereas, it is published that House Bill No. 534, generally known as the Dog Racing Bill, is up for passage, and

Whereas, the Church generally has consistently opposed gambling in all of its forms, and

Whereas, the Church has registered its opposition to horse racing particularly, and

Whereas, House Bill No. 534 insidiously legalizes gambling with the public school enterprise,

Be It Resolved, That the Frankfort Ministerial Association is opposed to all gambling and opposes the effort to legalize dog racing.

Frankfort Ministerial Association.
Rev. R. B. Kelly, Secretary.

At the instance of the Committee on Rules, the following bills were introduced, ordered printed and referred as follows, viz.:

By Mr. Holbrook:

H. B. 625. An Act to amend and re-enact a section of 4356t-5, pertaining to the primary system of public highways.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Chapter 267 of the Acts of 1932, being part of Section 4356t, Carroll's Kentucky Statutes, be and the same is hereby amended and re-enacted so that when so amended and re-enacted shall read as follows:

That a road beginning on project number 28, at or near the mouth of Grassy Creek, a tributary of Licking River, in Magoffin County and then running up Licking River and the

Gardner-Bailey Fork thereof to Salt Lick Gap, via Lick Branch, Yellow Mountain, Mills Branch of Balls Fork of Troublesome Creek, Stewarts Branch, up middle Fork of Stewart Branch to Deer Lick Hollow, over to old Possum Trot Creek, down same to R. 80, and project No. 28, and thence to Hindman, Ky., over Route No. 80; thence up right hand fork of Troublesome Creek and to continue on the most feasable route to a point on State Route No. 15, near Cody, Knott County, Kentucky, be and the same is established as a part of the primary road system of the Commonwealth of Kentucky.

All act or parts of acts in conflict herewith are hereby repealed.

By same:

H. B. 626. An Act to add to the primary system of roads of the Commonwealth of Kentucky, a road beginning at the mouth of Middle Fork at Route 60, going up Middle Fork to Ghose school house, thence on up to the Burgett school house, thence to the Wages school house and thence to the Town Flats, Breathitt County line, thence down to the mouth of Frozen, connecting with Route No. 15, at Blanton bridge.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is hereby added to the primary system of roads of the Commonwealth of Kentucky, a road beginning at the Mouth of Middle Fork at Route 60, going up Middle Fork to Ghose school house, thence on up to the Burgett school house, thence to the Wates school house and thence to the Town Flats, Breathitt County line, thence down to the mouth of Frozen, connecting with Route No. 15, at Blanton bridge.

That the construction, maintenance, supervision and con-

trol of said road shall be subject to and controlled by a provision of Chapter 17 of the Acts of the General Assembly of 1920, establishing and creating a primary system of State Highways to the same effect, as if said road had been named in the original Act as one of the projects of the primary system of State Highways as provided therein.

By Mr. Rayburn:

H. B. 627. An Act to amend and re-enact part of Section 4502, Kentucky Statutes, relating to the granting of elementary certificates.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That a part of Section 4502, Kentucky Statutes, the same being part of subsection a, part 1, relating to granting of elementary certificates be and the same is amended and re-enacted to read as follows:

(a) An elementary certificate shall be valid for use in any elementary school in this Commonwealth.

(1) Provisional Elementary Certificate. — The provisional elementary certificate, valid for three years, shall be issued to a person who has completed a curriculum of two years (64 semester hours) for the training of elementary teachers in a standard college or university, and which curriculum meets the minimum standards prescribed by the State Board of Education for the issuance of such certificate. This certificate may be reissued or renewed after two years' teaching experience during the life of the certificate or upon the presentation of one-half year (16 semester hours) of additional standard college or university work earned during the life of the certificate and prescribed in the same manner as for the original issue, and may be renewed thereafter upon the presentation of one-half year (16 semester hours) of ad-

ditional standard college or university work earned during the life of the certificate and prescribed in the same manner as for the original issue.

Provided, that a provisional elementary certificate, valid for two years, shall be granted to any resident otherwise qualified, residing in counties containing cities of the fourth, fifth and sixth classes who have completed a curriculum of thirty-two (32) semester hours in a standard college or university, meeting the minimum standards prescribed by the State Board of Education. This certificate may be reissued or renewed for two years after one year's teaching experience, during the life of said certificate and in addition, sixteen (16) hours work earned at a standard college or university acceptable to the State Board of Education.

By Mr. Howard:

H. B. 628. An Act establishing as a part of the primary system of highways in this Commonwealth a road leading from Arch to Big Spring.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there be established as a part of the primary system of highways of this Commonwealth a road leading from Arch by way of Grand View church to Big Spring.

By Mr. MacDonald:

H. B. 629. An Act establishing as part of the Primary System of State Highways a road beginning at the Flemingsburg Junction and Mayslick State Highway, Fleming County, Kentucky, running southwardly to the Elizaville and Mayslick State Highway, Fleming County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is hereby established as a part of the Primary System of State Highways of the Commonwealth of Kentucky a road beginning at the Flemingsburg Junction and Mayslick State Highway, Fleming County, Kentucky, running southwardly to the Elizabeth and Mayslick State Highway, Fleming County, Kentucky. Containing about one and one-half (1½) miles more or less.

That the construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920 and all other laws pertaining thereto establishing and creating the Primary System of State Highways, to the same effect as if said roads had been named in the original Act as one of the projects of the Primary System of State Highways as provided therein.

By Dr. Shields:

H. Res. 63. A Resolution providing for a committee to be appointed by the State Board of Education to make a study of teachers retirement systems and to recommend to the 1938 Legislature a teachers retirement system for the Commonwealth of Kentucky, and appropriating five thousand dollars to bear the expense of such a study.

Said resolution is as follows, viz.:

Whereas, Many states in the Union now have Teachers Retirement Systems in operation, and

Whereas, there is a great demand for such a system in Kentucky, and

Whereas, no definite program for such a system can be provided without a careful study of all phases of the subject: Therefore,

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

That the State Board of Education is hereby authorized and directed to appoint an unpaid commission of three members to make a careful study of teacher retirement systems and to recommend to the 1938 Legislature a teacher retirement plan suitable for adoption in Kentucky. An appropriation of five thousand dollars ($5,000), or so much thereof as may be needed, is hereby authorized for this study.

To Committee on Rules.

A message was received from the Senate, announcing that they had passed bills which originated in this House, entitled:

H. B. 252. An Act for the conservation of natural gas and prevention of its waste.

H. B. 118. An Act repealing and re-enacting Sections 528, 533 and 535 of the Kentucky Statutes, Carroll's Edition of 1930, relating to the duties of coroners, etc.

H. B. 34. An Act to repeal, amend and re-enact Section 1938a-5, Carroll's Kentucky Statutes, pertaining and fixing the time for hunting rabbits, and manner.

Ordered that said bills be delivered to the Enrolling Clerk of this House.

And that they had passed bills which originated in the Senate, entitled:

S. B. 282. An Act to amend and re-enact Section 4706 of the Kentucky Statutes, relating to the investment of funds by fiduciaries.

S. B. 156. An Act to prohibit distribution, sale or exchange in Kentucky of goods, wares or merchandise, manufactured in whole or in part by convicts or prisoners.

S. B. 184. An Act to amend and re-enact Section 1196, Carroll's Kentucky Statutes, providing for the punishment for stealing hogs, cattle, goats, sheep and dogs.

S. B. 270. An Act repealing paragraph VIII of Chapter 106 of the Acts of 1932, relating to motor vehicles and speed governors thereon.

S. B. 263. An Act giving the consent of the Commonwealth of Kentucky to the acquisition by the United States, etc.

S. B. 214. An Act to provide for the codification, revision and publication of the Statutes of Kentucky.

S. B. 283. An Act relating to ditches and drains in counties having more than seventy-five separate drainage districts, etc.

S. B. 260. An Act to prohibit false, misleading or bait advertising, of ocular examination, etc.

S. B. 215. An Act in aid of drainage, levee and reclamation districts.

Ordered that said bills be printed and referred to Committee on Rules.

At the instance of the Committee on Rules, the House took up for consideration from the Calendar, bills of the following titles, viz.:

H. B. 599. An Act relating to the primary system of roads and highways.

H. B. 600. An Act relating to the primary system of roads and highways.

H. B. 601. An Act relating to the primary system of roads and highways.

H. B. 602. An Act relating to the primary system of roads and highways.

H. B. 603. An Act to amend and re-enact Section 1243, Carroll's Kentucky Statutes, 1930 Edition.

H. B. 604. An Act relating to the appointment of employees in all branches of State, County or City governments.

H. B. 605. An Act relating to the primary system of roads and highways.

H. B. 606. An Act relating to the primary system of roads and highways.

H. B. 607. An Act relating to the primary system of roads and highways.

S. Res. 37. Resolution providing for the purchase of copies of the Legislative Digest adopted at the session of 1912.

S. B. 105. An Act regulating embalming and undertaking.

S. B. 203. An Act relating to the issuance of bonds or other obligations of the county, city or other taxing districts.

H. B. 608. An Act relating to the primary system of roads and highways.

H. B. 609. An Act relating to the primary system of roads and highways.

H. B. 610. An Act relating to the primary system of roads and highways.

H. B. 611. An Act relating to the primary system of roads and highways.

H. B. 612. An Act to appropriate to World War Veterans a bonus of $10 a month, etc.

H. B. 613. An Act relating to per diem of officers and employees of the General Assembly.

H. B. 614. An Act relating to the primary system of roads and highways.

H. B. 615. An Act relating to the primary system of roads and highways.

H. B. 616. An Act relating to the primary system of roads and highways.

H. B. 617. An Act relating to the primary system of roads and highways.

H. B. 618. An Act relating to the primary system of roads and highways.

H. B. 619. An Act relating to the primary system of roads and highways.

H. B. 620. An Act relating to the primary system of roads and highways.

H. B. 621. An Act relating to the primary system of roads and highways.

H. B. 622. An Act relating to the primary system of roads and highways.

H. B. 623. An Act relating to the primary system of roads and highways:

H. B. 624. An Act relating to the primary system of roads and highways.

Ordered that said bills be read the second time.

The Constitutional provision as to the second reading of said bills at length being dispensed with, said bills were read the second time by their titles only.

Ordered that said bills be placed in the Orders of the Day.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 100. An Act creating and providing for the election of Boards of Drainage Commissioners, prescribing the powers and duties of such Boards; and repealing Section 2380-7 of the Kentucky Statutes, Carroll's 1930 Edition, and all other laws and parts of laws in conflict with the act, to the extent of such conflict, and declaring an emergency.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Section 2380-7, Kentucky Statutes, Carroll's 1930 Edition, hereby is repealed and the following enacted in lieu thereof:

In all counties of this State where a public ditch, drain, levee or other improvement of similar character shall have been established under the pre-existing laws and/or, may hereafter be established under this act, it shall be the duty of the County Judge to call an election in each separate drainage district, which election shall be held not later than thirty days after the passage of this act, and at the County Seat and thereafter on some day in May of each year. If for any reason the County Judge shall refuse to call an election, or refuse to publish notice of an election, or refuse to preside at an election, or in any other particular refuse or fail to carry out any of the provisions of this Act, then any five persons, being taxpayers in any drainage district, coming under the provisions of this Act, shall have the right to call an election, and shall upon the day of said election, designate one of their number to act in place of said County Judge, said person upon being designated, shall have all of the rights granted to the County Judge, under the provision of this Act. At this election the taxpayers of each separate drainage district shall elect a director to represent said Drainage District on the Board herein created.

The County Judge shall preside at the election of each of said Drainage Districts, which shall be by viva voce vote of each member present at the hour designated by said County Judge on the said day. The Drainage Districts of the County shall be numbered by the said County Judge upon the passage of this act and the various elections shall be held in the courthouse and the election shall take place in the numerical order of the District. If any District is not represented at said election, it shall be the duty of the County Judge to appoint a director representing said District, who must be a taxpayer of said District and these elections shall be held annually in the month of May upon the call of the County Judge. He shall fill all vacancies during any year by appointment. The election called shall be made at least ten days before the elec-

tion by posting notice at the courthouse door and by publishing same in one issue of some newspaper of general circulation. The various directors from the various districts of the County shall constitute the Board of Drainage Commissioners of the Counties wherein they are elected, with the right to acquire, hold, encumber, sell and convey such real estate and personal property as shall be necessary to the conduct of its affairs as such drainage commission, to sue and be sued, contract and be contracted with, and shall possess such other powers and rights as shall pertain to corporations, or as may be necessary for carrying on its work under the provisions of this act, including the right of Eminent Domain; it shall have and use a corporate seal and shall change same at its pleasure. Not later than fifteen days after the election of these directors, representing the various drainage districts in the County, they shall meet at the County Seat, elect a President from one of their number and appoint a secretary, who need not be a director, and if no secretary is appointed, the County Clerk of the County shall act as such and be ex officio secretary thereof. The President and Directors shall receive no compensation for their services and shall meet at such time or times as the President may call them to meet, and the President shall call a meeting when the request is made by two or more directors which request shall be in writing. The Board shall elect a treasurer, who shall execute bond as the board directs and they may pay said treasurer such salary as they deem proper. Said commission shall have an office at the County Seat of the County which shall be provided with such furniture, stationery and records as may be necessary.

The Board shall keep or cause to be kept complete records of its proceedings which records shall be public records and at all times open to the inspection of the public. The Board of Drainage Commissioners may employ a superintendent of drainage if they deem such necessary, and for such

time as they deem necessary, and pay to him such salary as they deem proper, not exceeding five dollars ($5.00) per day.

It shall be the duty of the Board of Drainage Commissioners on or before April 1st of each year to make a complete report of its acts and doings during the previous year, showing the amount of money received and from what source, and the amounts paid out and for what purposes, which report shall be spread upon its records and open for public inspection. It shall be the further duty of the Board of Drainage Commissioners on or before April 1st of each year to have published in the county seat newspaper a financial statement of the previous year, showing the amounts received, the date of receipt, and from what source, and the amounts paid out, the date of disbursement and for what purposes. All expenses incurred under this act to be borne by the Board of Drainage Commissioners out of drainage funds and not from any general funds of the county.

The Boards provided for herein shall succeed to all the rights, powers and duties of each and every Drainage Commissioner and/or Board of Drainage Commissioners, heretofore appointed under the provisions of Section 2380-7, Kentucky Statutes, Carroll's 1930 Edition; and, in addition thereto said Board hereby is expressly authorized to compromise and settle any and all maintenance assessments heretofore made, levied or assessed, against any land or the owner thereof, and the Board shall have the right to make such settlements upon such terms and conditions as it may deem proper, and to do and perform each and every act necessary to release and discharge any and all claims and demands, and all liens upon lands or real estate heretofore established, made or claimed, under or by reason of any and all such maintenance assessments.

Whereas the time is fast approaching when assessments may be made for the maintenance of Drainage projects in Kentucky and this Board is necessary to more justly repre-

sent the people, therefore, it is declared that an emergency exists and this act shall take effect immediately upon its passage and approval by the Governor.

Mr. Wells moved the Previous Question.

Thereupon the Speaker announced "Shall the Main Question be now put?"

Which was decided in the affrmative.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen	George S. Clay	Ben Grogan
Henry H. Allen	J. A. Coleman	Jas. T. Hamilton
C. W. Anderson, Jr.	Roy Conway	C. L. Hammons
H. T. Baker	Herbert Cook	W. L. Hampton, Jr.
W. T. Baker	Harry Davis	Thomas W. Hines
G. M. Ballard	Sam Dever	Price Holbrook
B. F. Bedford	Stanley S. Dickson	Clyde S. Howard
Reuben J. Boling	George W. Dunlap	Ira W. Hulette
Ollie J. Bowen	Howard G. Early	John M. Hunnicut
Wallace Brown	Walter R. Fannin	Ben W. Johnson
Dr. R. A. Byers	T. P. Fitzpatrick	J. H. Jones
Jas. C. Carter	James Garnett, Jr.	O. C. Jones
V. O. Chandler	G. W. Garrett	R. T. Kirkman
Floyd Clark	Ferd A. Gnau	J. F. Ladd
Roscoe Claxon	Eugene Gough	Leslie Larrimore

M. T. McCarthy	J. C. Nickell	Chester D. Silvers
T. B. McConnell	Russell O'Neill	Bruce Sloan
J. L. McDermott	Mel Petry	H. C. Steely
Lloyd MacDonald	A. W. Pfeiffer	Henry Stewart
W. F. McGary	J. C. Ramey	Dr. H. S. Swope
Elmer McGlothen	Hobart Rayburn	W. R. Tapp
John Marshall	L. K. Rice	J. J. Thomas
C. S. Matherly	Wade H. Riley	R. Van Bever, Jr.
D. T. Matlack	Joe E. Robinson	S. J. Wagner
Duke Mayfield	John C. Robinson	Joseph L. Wall
G. S. Milam	W. T. Rollo	Henry Ward
W. H. Miller	A. W. Ross	L. R. Wells
John B. Mollett	Carl Scheben	W. G. Williams
W. E. Mull	Carl Schneider	Charles Wylie
Tyler Munford	Ray O. Shehan	
Rodes K. Myers	P. L. Sidebottom	—91

Resolved that the title thereof be as aforesaid.

Mr. Wells moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 107. An Act to amend and re-enact Section 4527-44, Baldwin's Revision of Carroll's Kentucky Statutes, being Chapter 65, page 334, of the Acts of 1934, providing for powers of regulation of Boards of Regents in governing teachers' colleges.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 4527-44, Baldwin's Revision of Carroll's

Kentucky Statutes, be and the same is hereby amended and re-enacted so that when so amended and re-enacted it shall read as follows:

The government, administration, and control of each of the said state teachers' colleges is hereby vested in its respective board of regents which when its members have been appointed and qualified, shall constitute a body corporate and shall have perpetual succession with power to contract and be contracted with, to sue and be sued, to plead and be impleaded, to receive by any legal mode of conveyance property of any description, and to have and to hold and enjoy the same; to receive grants of money and to expend the same for the use and benefit of the said college; also, to sell and convey any real estate, buildings, or equipment belonging to it, but the proceeds from such sale shall be reinvested in other real estate and/or buildings and equipment for the use and benefit of the said college; to make and use a corporate seal with power to alter and enjoy the same; to adopt by-laws, rules and regulations for the government of their members, officers, agents, and employees, and to enforce obedience to such rules; to elect a secretary and a treasurer and to fix the bond of the treasurer which shall not be less than $10,000, and the treasurer shall not be a member of the board of regents; to designate a depository or depositories for its funds and to fix the bond thereof; to require such reports from the president, officers, faculty, and employees as it deems necessary and proper from time to time; to determine the number of divisions, departments, bureaus, offices, and agencies needed for the successful conduct of the affairs of the said college; to invest the faculty or a committee of the faculty with the power to suspend or expel any student for disobedience to its rules; or for any other contumacy, insubordination, or immoral conduct; to appoint a president and, on the recommendation of the president, appoint in its discretion, all officers, teachers, and employees and fix their compensation and tenure of service

provided no person shall be employed for a longer period than four years; and provided further that no person shall be employed who is related to any member of said Board of Regents, as father, mother, brother, sister, husband, wife, son, daughter, aunt, uncle, sister-in-law or daughter-in-law, except that upon written recommendation of the president of the respective institution, one such relative of each member of the Board of Regents may be appointed upon confirmation by the remaining three members of the said board; to dismiss any president and, upon the recommendation of the president, any officer, teacher, or employee for cause as hereinafter provided; to grant diplomas and confer degrees upon the recommendation of the president and the faculty, and to possess all other immunities, rights, privileges, and franchises usually attaching to the governing bodies of educational institutions.

Mr. Myers offered the following amendment to said bill, viz.:

Amend S. B. 107 by striking therefrom on page 2, lines 35, 36, 37, 38 and 39 the following words:

"except that upon written recommendation of the president of the respective institutions, one such relative of each member of the Board of Regents may be appointed upon confirmation by the remaining three members of said board".

Mr. Myers moved the Previous Question on said amendment.

Thereupon the Speaker announced "Shall the Main Question be now put?"

Which was decided in the affirmative.

Said amendment was then disagreed to.

Mr. McCarthy moved that said amendment be laid on the table.

Said motion was disagreed to.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen	G. W. Garrett	Duke Mayfield
Henry H. Allen	Eugene Gough	G. S. Milam
C. W. Anderson, Jr.	Ben Grogan	John B. Mollett
H. T. Baker	C. L. Hammons	J. C. Nickell
W. T. Baker	W. L. Hampton, Jr.	Russell O'Neill
G. M. Ballard	Thomas W. Hines	Mel Petry
B. F. Bedford	Price Holbrook	A. W. Pfeiffer
Reuben J. Boling	Clyde S. Howard	J. C. Ramey
Ollie J. Bowen	Ira W. Hulette	Hobart Rayburn
Wallace Brown	John M. Hunnicut	Harry C. Records
Dr. R. A. Byers	Ben W. Johnson	L. K. Rice
Jas. C. Carter	J. H. Jones	Joe E. Robinson
V. O. Chandler	O. C. Jones	John C. Robinson
Floyd Clark	R. T. Kirkman	A. W. Ross
George S. Clay	J. F. Ladd	Carl Schneider
J. A. Coleman	Leslie Larrimore	Dr. B. F. Shields
Roy Conway	T. B. McConnell	P. L. Sidebottom
Harry Davis	Lloyd MacDonald	Bruce Sloan
Sam Dever	W. F. McGary	H. C. Steely
Stanley S. Dickson	Elmer McGlothen	Henry Stewart
Howard G. Early	John Marshall	Dr. H. S. Swope
Walter R. Fannin	C. S. Matherly	W. R. Tapp
T. P. Fitzpatrick	D. T. Matlack	J. J. Thomas

R. Van Bever, Jr.	Joseph L. Wall	W. G. Williams
S. J. Wagner	Henry Ward	Charles Wylie

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Those who voted in the negative were—

Roscoe Claxon	J. L. McDermott	W. T. Rollo
James Garnett, Jr.	W. H. Miller	Carl Scheben
Ferd A. Gnau	W. E. Mull	Chester D. Silvers
M. T. McCarthy	Wade H. Riley	L. R. Wells

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Resolved that the title thereof be as aforesaid.

Mr. Davis moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Mr. Hulette moved that the privilege of the floor be extended to Mr. Carl Falles.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 71. An Act to make unlawful the fraudulent setting back or disconnecting or failure to connect or causing the fraudulent setting back or disconnecting or failure to connect speedometers on motor vehicles for the purpose of effecting a sale of such vehicles.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

If any dealer in motor vehicles, or any other person, shall fraudulently change, set back, or disconnect, or fail to con-

nect, or cause to be changed, set back or to be disconnected, or cause the failure to connect the speedometer of any motor vehicle, for the purpose of effecting the sale of such motor vehicle or vehicles, he shall upon conviction thereof be adjudged guilty of a misdemeanor and shall be fined in the sum of not less than one hundred dollars nor more than three hundred dollars for each and every separate offense.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen	George W. Dunlap	T. B. McConnell
C. W. Anderson, Jr.	Howard G. Early	J. L. McDermott
H. T. Baker	Walter R. Fannin	Lloyd MacDonald
W. T. Baker	T. P. Fitzpatrick	W. F. McGary
G. M. Ballard	James Garnett, Jr.	Elmer McGlothen
B. F. Bedford	G. W. Garrett	John Marshall
Reuben J. Boling	Eugene Gough	C. S. Matherly
Ollie J. Bowen	Ben Grogan	D. T. Matlack
Wallace Brown	Jas. T. Hamilton	Duke Mayfield
Dr. R. A. Byers	C. L. Hammons	John B. Mollett
Jas. C. Carter	W. L. Hampton, Jr.	W. E. Mull
V. O. Chandler	Thomas W. Hines	J. C. Nickell
Floyd Clark	Price Holbrook	Russell O'Neill
George S. Clay	Clyde S. Howard	A. W. Pfeiffer
J. A. Coleman	John M. Hunnicut	J. C. Ramey
Herbert Cook	Ben W. Johnson	Hobart Rayburn
Harry Davis	J. H. Jones	L. K. Rice
Sam Dever	J. F. Ladd	Wade H. Riley
Stanley S. Dickson	Leslie Larrimore	Joe E. Robinson

John C. Robinson	Bruce Sloan	Henry Ward
A. W. Ross	H. C. Steely	L. R. Wells
Carl Scheben	Henry Stewart	W. G. Williams
Ray O. Shehan	J J. Thomas	Charles Wylie
P. L. Sidebottom	R. Van Bever, Jr.	
Chester D. Silvers	S. J. Wagner	—73

Those who voted in the negative were—

Henry H. Allen	G. S. Milam	W. T. Rollo
Roscoe Claxon	Tyler Munford	Carl Schneider

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Resolved that the title thereof be as aforesaid.

Mr. Wylie moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 24. An Act to amend and re-enact Section 3187d, Kentucky Statutes.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 3187d, Kentucky Statutes, be amended and re-enacted so that said Section as so amended and re-enacted shall read as follows:

"Section 3187d. In addition to the power given to cities of the second class by the provisions of existing laws for the collection of taxes by sale of delinquents' property, such cities shall also have the power and are hereby authorized to enforce the collection of any taxes due them, and to enforce the

lien therefor on the property of such delinquent, by any and all remedies given by general law for the recovery of debt and the enforcement of liens upon property in satisfaction thereof in any Court of this Commonwealth otherwise competent for that purpose, and suit for the collection of taxes may be instituted at any time after such taxes become delinquent. In any such action the City may file a copy of the tax bill attested by the Treasurer under the seal of the City, and said tax bill shall be prima facie evidence of the due and regular assessment of the property for taxation, the levy of taxes thereon, and of every other fact and proceeding necessary to entitle the city to judgment for the taxes with all interest and penalties thereon and the cost of the action, and to have a sale of the property for the payment of same, though said relief be against a non-resident or person under disability, and in such action against non-residents the city shall not be required to file or execute any bond for restoration of said property or money as provided in Section 410 of the Civil Code. Provided, however, that no personal judgment shall be rendered against a person under disability or against a non-resident who has not appeared or been summoned in the action, and the proceedings against such person shall be as provided in the Civil Code of Practice except as otherwise herein provided. Circuit Courts shall have jurisdiction of all proceedings to enforce liens on real estate for taxes as herein provided without regard to the amount of same."

§ 2. All laws and parts of laws in conflict herewith and to the extent of such conflict only are hereby repealed. It is the purpose of this Act to provide an additional remedy for the enforcement of tax claims by cities of the second class.

Mr. Ward moved the Previous Question.

Thereupon the Speaker announced "Shall the Main Question be now put?"

Which was decided in the affirmative.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen
Henry H. Allen
H. T. Baker
W. T. Baker
B. F. Bedford
Reuben J. Boling
Ollie J. Bowen
Wallace Brown
Dr. R. A. Byers
Jas. C. Carter
V. O. Chandler
Floyd Clark
Roscoe Claxon
George S. Clay
J. A. Coleman
Roy Conway
Herbert Cook
Harry Davis
Sam Dever
Howard G. Early
Walter R. Fannin
G. W. Garrett
Ferd A. Gnau
Eugene Gough
Ben Grogan
Jas. T. Hamilton
C. L. Hammons
W. L. Hampton, Jr.
Thomas W. Hines
Price Holbrook
Clyde S. Howard
Ira W. Hulette
John M. Hunnicut
Ben W. Johnson
J. H. Jones
R. T. Kirkman
J. F. Ladd
Leslie Larrimore
M. T. McCarthy
T. B. McConnell
J. L. McDermott
Lloyd MacDonald
W. F. McGary
C. S. Matherly
D. T. Matlack
Duke Mayfield
G. S. Milam
W. H. Miller
John B. Mollett
W. E. Mull
J. C. Nickell
Russell O'Neill
Mel Petry
A. W. Pfeiffer
J. C. Ramey
Hobart Rayburn
Harry C. Records
L. K. Rice
Wade H. Riley
Joe E. Robinson
John C. Robinson
W. T. Rollo
A. W. Ross
Carl Scheben
Carl Schneider
Ray O. Shehan
Dr. B. F. Shields
Chester D. Silvers
Bruce Sloan
H. C. Steely
Henry Stewart
Dr. H. S. Swope
W. R. Tapp
J. J. Thomas
R. Van Bever, Jr.

S. J. Wagner	Henry Ward	Charles Wylie	
Joseph L. Wall	L. R. Wells		—80

Resolved that the title thereof be as aforesaid.

Mr. Ward moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the hour of two o'clock P. M. the House took up for consideration the Special Order of the Day, to wit: a bill entitled:

H. B. 75. An Act to amend and re-enact Section 6, Chapter 157, relating to the appointment of deputy sheriffs by adding thereto provisions prohibiting compensation of sheriffs and deputies by private persons.

With a Committee Substitute thereto.

(For bill and Committee Substitute, see House Journal of January 29.)

Dr. Shields offered the following amendment to said bill, viz.:

Amend H. B. 75 by adding after the word "invalid", page 5, Section 8, at end of line 9, "This Act shall become effective on the first day of January, 1938."

Dr. Shields moved the Previous Question on said amendment.

Thereupon the Speaker announced, "Shall the Main Question be now put?"

Which was decided in the affirmative.

Said amendment was then agreed to.

The yeas and nays being required thereon by Messrs. Milam and Munford, were as follows, viz.:

Those who voted in the affirmative were—

C. W. Anderson, Jr.	H. Myer Garner	D. T. Matlack
H. T. Baker	G. W. Garrett	John B. Mollett
G. M. Ballard	Ben Grogan	Rodes K. Myers
B. F. Bedford	C. L. Hammons	J. C. Nickell
Reuben J. Boling	W. L. Hampton, Jr.	Mel Petry
Ollie J. Bowen	Thomas W. Hines	A. W. Pfeiffer
Wallace Brown	Clyde S. Howard	Harry C. Records
Jas. C. Carter	Ira W. Hulette	Joe E. Robinson
V. O. Chandler	Ben W. Johnson	John C. Robinson
Floyd Clark	J. H. Jones	Carl Scheben
J. A. Coleman	R. T. Kirkman	Ray O. Shehan
Roy Conway	J. F. Ladd	Dr. B. F. Shields
Herbert Cook	M. T. McCarthy	P. L. Sidebottom
Harry Davis	T. B. McConnell	Bruce Sloan
Sam Dever	J. L. McDermott	H. C. Steely
Stanley S. Dickson	Lloyd MacDonald	Henry Stewart
George W. Dunlap	John Marshall	W. R. Tapp
Walter R. Fannin	C. S. Matherly	Charles Wylie

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Those who voted in the negative were—

F. T. Allen	John M. Hunnicut	W. T. Rollo
Henry H. Allen	Elmer McGlothen	Carl Schneider
W. T. Baker	G. S. Milam	Chester D. Silvers
Roscoe Claxon	W. E. Mull	Dr. H. S. Swope
James Garnett, Jr.	Tyler Munford	J. J. Thomas
Ferd A. Gnau	Russell O'Neill	R. Van Bever, Jr.
Eugene Gough	J. C. Ramey	Joseph L. Wall
Jas. T. Hamilton	L. K. Rice	Henry Ward
Price Holbrook	Wade H. Riley	L. R. Wells

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Mr. Brown moved the Previous Question on said bill.

Said motion was agreed to.

Thereupon the Speaker announced "Shall the Main Question be now put?"

Which was decided in the affirmative.

Mr. Myers moved that the vote by which the amendment, as offered by Dr. Shields, was agreed to, be reconsidered.

Said motion was agreed to.

The yeas and nays being required thereon by Messrs. Hammons and Milam, were as follows, viz.:

Those who voted in the affirmative were—

W. T. Baker	Ira W. Hulette	Harry C. Records
B. F. Bedford	John M. Hunnicut	L. K. Rice
Ollie J. Bowen	Ben W. Johnson	Joe E. Robinson
Wallace Brown	O. C. Jones	John C. Robinson
Roscoe Claxon	M. T. McCarthy	Dr. B. F. Shields
J. A. Coleman	T. B. McConnell	P. L. Sidebottom
Roy Conway	J. L. McDermott	Chester D. Silvers
Stanley S. Dickson	W. F. McGary	Bruce Sloan
George W. Dunlap	Elmer McGlothen	Henry Stewart
T. P. Fitzpatrick	Duke Mayfield	W. R. Tapp
Fred A. Gnau	John B. Mollett	J. J. Thomas
Eugene Gough	Rodes K. Myers	R. Van Bever, Jr.
Ben Grogan	J. C. Nickell	S. J. Wagner
W. L. Hampton, Jr.	Russell O'Neill	Henry Ward
Thomas W. Hines	Mel Petry	L. R. Wells
Clyde S. Howard	A. W. Pfeiffer	W. G. Williams

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Those who voted in the negative were—

Henry H. Allen	C. W. Anderson, Jr.	H. T. Baker

Jas. C. Carter	Price Holbrook	Wade H. Riley
V. O. Chandler	J. H. Jones	W. T. Rollo
Floyd Clark	R. T. Kirkman	Carl Scheben
Herbert Cook	J. F. Ladd	Carl Schneider
Harry Davis	John Marshall	Ray O. Shehan
Walter R. Fannin	D. T. Matlack	H. C. Steely
H. Myer Garner	G. S. Milam	Dr. H. S. Swope
James Garnett, Jr.	W. H. Miller	Joseph L. Wall
G. W. Garrett	Tyler Munford	Charles Wylie
Jas. T. Hamilton	J. C. Ramey	
C. L. Hammons	Hobart Rayburn	—34

Thereafter such reconsideration, Mr. Myers moved that said amendment be offered to the substitute instead of the bill.

Said motion was agreed to.

Said amendment as offered to the Substitute was then agreed to.

Said Substitute, as amended, was then adopted.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

W. T. Baker	Dr. R. A. Byers	Roy Conway
B. F. Bedford	Roscoe Claxon	Sam Dever
Wallace Brown	J. A. Coleman	Chas. P. Farnsley

T. P. Fitzpatrick	J. L. McDermott	Carl Schneider
James Garnett, Jr.	Elmer McGlothen	Dr. B. F. Shields
Ferd A. Gnau	Duke Mayfield	P. L. Sidebottom
Eugene Gough	G. S. Milam	Chester D. Silvers
Ben Grogan	John B. Mollett	Bruce Sloan
W. L. Hampton, Jr.	W. E. Mull	Henry Stewart
Thomas W. Hines	Tyler Munford	W. R. Tapp
Price Holbrook	Rodes K. Myers	J. J. Thomas
Clyde S. Howard	Russell O'Neill	R. Van Bever, Jr.
Ira W. Hulette	Mel Petry	S. J. Wagner
John M. Hunnicut	A. W. Pfeiffer	Henry Ward
Ben W. Johnson	J. C. Ramey	L. R. Wells
O. C. Jones	Harry C. Records	W. G. Williams
M. T. McCarthy	L. K. Rice	
T. B. McConnell	W. T. Rollo	—52

Those who voted in the negative were—

F. T. Allen	George W. Dunlap	W. H. Miller
Henry H. Allen	Howard G. Early	J. C. Nickell
C. W. Anderson, Jr.	Walter R. Fannin	Hobart Rayburn
H. T. Baker	H. Myer Garner	Wade H. Riley
Ollie J. Bowen	G. W. Garrett	Joe E. Robinson
Jas. C. Carter	Jas. T. Hamilton	John C. Robinson
V. O. Chandler	J. H. Jones	A. W. Ross
Floyd Clark	R. T. Kirkman	Carl Scheben
George S. Clay	J. F. Ladd	Ray O. Shehan
Herbert Cook	W. F. McGary	H. C. Steely
Harry Davis	John Marshall	Dr. H. S. Swope
Stanley S. Dickson	C. S. Matherly	Joseph L. Wall

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Resolved that the title thereof be as amended.

Mr. Conway moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table

Said last named motion was agreed to.

Mr. Carter moved that the House do now adjourn.

Said motion was disagreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 534. An Act entitled an act to provide for Greyhound Racing Commission; to prescribe its powers and duties; to fix compensation; to provide for holding elections; to provide for licensing and taxing such racing and apportioning the moneys derived therefrom; to provide for the selling of combination or French pools within the enclosure of licensed race tracks; to provide penalties for the violation of this act and repealing any laws in conflict therewith.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of Kentucky:

§ 1. Any corporation formed for the purpose of racing or breeding of Greyhounds and conducting races and contests of speed shall have the power and right, subject to the provisions of this act, to hold one or more race meetings in each year and to hold, maintain and conduct races at such meetings. At such meetings the corporation or the owners of greyhounds engaged in such races or others who are not participants in the racing may contribute purses, prizes, premiums or stakes to be contested for; but no person or persons other than the owner or owners of greyhounds contesting in a race shall have any pecuniary interest in a purse, prize, premium or stake contested for in such race, or be entitled to, or receive any portion thereof, after such race shall have been finished; and the whole of such purse, prize or premium or stake shall be allotted in accordance with the terms and conditions of such race. Such meetings shall not be held except during the period extending from the first day of April to the first day of December, inclusive in each year. Said races shall be held between the hours of 7 P. M. and 12 Midnight. No races are

authorized or shall be permitted except during the period aforesaid.

§ 2. A Greyhound Racing Commission is hereby established to consist of three persons to be appointed by the Governor. The members of said commission shall hold their offices for a term of four years and the first commission shall be appointed within twenty days after this act shall go into effect. Such commission shall appoint a secretary, who shall serve during its pleasure, whose duty it shall be to keep a full and faithful record of its proceedings and preserve at its general office, all books, maps, documents and papers entrusted to its care and shall perform such other duties as the commission may prescribe. He shall be paid a salary to be fixed by the commission at a rate not exceeding $1,200.00 per annum, which shall be paid by the several racing corporations or associations. The commission shall bi-annually make a full report to the General Assembly of its proceedings for the two-year period, ending with the first day of December preceding the meeting of the General Assembly and shall embody therein such suggestions and recommendations as it shall deem proper.

POWERS OF COMMISSION

§ 3. Said commission shall have the power to prescribe the rules, regulations and conditions under which races shall be conducted in this state and no such races shall be conducted in this state and no such races shall be conducted except by a corporation or association duly licensed by said commission as herein provided. Any corporation or association desiring to conduct such racing may annually apply to the Greyhound Racing Commission for a license so to do. If, in the judgment of the commission, a proper case for the issuance for such license is shown, it may grant the same for a term of one year, and if such license shall contain a condition that all races or race meetings conducted thereunder shall be subject to the rules, regulations and conditions from time to time

prescribed by the commission and shall be revokable by the commission for any violation thereof, or whenever the contents of such license shall be deemed by the commission not conducive to the interest of legitimate racing. But if said license is refused or revoked, said commission shall publicly state its reason for so doing and said reason shall be written in full in the minute book of said commission, which shall at all times be subject to inspection upon application of anyone desiring so to do. Said finding of said commission shall be subject to the review of a court of competent jurisdiction; provided that a refusal of the commission to grant to any racing association a license, or to assign any racing association, at least sixty days in each year, if desired, for racing at such association, and the decision of such commission revoking any license of any association shall be subject to review of the courts of the state.

§ 4. If a race meetings, at which racing shall be permitted for any stake, purse or reward except as followed by this act, is hereby declared to be a public nuisance and every person acting or aiding therein shall be deemed guilty of a misdemeanor and punished by a fine of not less than $500.00 nor more than $1,000.00 for each day of such meeting or racing and in addition thereto, in a suit brought for the purpose by the Greyhound Racing Commission in the Circuit Court of the county where it may be proposed to conduct such unauthorized racing and an injunction may be obtained against the same.

§ 5. At the time of making application for a permit, the applicant shall deposit with the Racing Commission a cash bond, certified check or bank draft payable to the order of the Racing Commission, in an amount equal to $100.00 for each day excluding Sundays, petitioned for in said application. At the close of the last day of the Greyhound racing meeting for which a permit is issued as provided for in Section 6 of this act, the Racing Commission shall refund to such permit holder

the sum of $100.00 for each racing day the permit holder paid the Racing Commission that tax due for said day as provided for and at the rate stipulated by this act; provided, however, if such permit holder has not paid to the Racing Commission the expenses and compensation of representatives assigned to his or its track as provided for in this act, the commission is authorized and directed to withhold such refund until the same has been paid. In the event any full day's racing is declared off by the judges on account of inclement weather or muddy track, or said track, or any essential part thereof has been destroyed by fire, wind, riot, or explosion, the Racing Commission shall refund to the permit holders the sum of $100.00 of their deposit for each such day.

§ 6. Upon the filing of an application accompanied by a permit fee or a cash bond, certified check or bank draft as herein provided by any person, association, trust or corporation not in default of payment of any obligation due to the Commonwealth of Kentucky, under the provisions of this act the Racing Commission may issue a permit to such applicant to hold or conduct a Greyhound racing meeting as authorized in this act. Such permit shall specify the person, association, trust or corporation to whom the same is issued, the dates upon which such Greyhound Racing meetings are to be held or conducted, the hours of such dates between which such Greyhound racing shall be permitted, the location of the place, track or enclosure where such Greyhound racing meeting is to be held or conducted and shall receipt the payment fee and deposit a cash bond, certified check or bank draft by applicant. If such permit shall contain a condition that all Greyhound racing meetings conducted thereunder, shall be subject to rules and regulations and continue from time to time prescribed and promulgated by the commission, the commission may refuse to award dates or to issue a permit to any applicant if a permit previously issued to said applicant has been revoked under the authority of this act. Such permit

may be suspended, diminished or revoked by the commission of any violation of this act, or of any rule of the commission made under authority of this act, provided five days written notice mailed by registered mail to the permit holder be given of charges, the time and place of hearing at which hearing the permit holder shall be given the opportunity of presenting evidence and being represented by counsel and provided further that the Racing Commission shall immediately enter upon its record of proceedings a memorandum of its action in such suspension, diminution or revocation and its reason therefor. Such permit shall be non-transferable and shall apply only to the place, track, or enclosure specified in the permit.

§ 7. Any person, association, trust or corporation holding a permit to conduct a Greyhound Racing Meeting, may provide a place or places in the race meeting grounds or enclosure at which they or it may conduct and supervise the combination, French pools, or certificate system of wagering by patrons of legal age on the Greyhound races conducted by such permit holder at such meeting. (Such combination or French pool or certificate method of wagering upon Greyhound races held at or within such race track and at the time of such Greyhound racing meeting shall not be held or construed to be unlawful to the Statutes of the Commonwealth of Kentucky, to the contrary notwithstanding.) And any law in conflict is hereby repealed.

No other place except that provided and designated by the permit holder, or any method of betting or wagering, except the combination or French pools or certificate system shall be used or permitted by the permit holder nor shall the combination or French pools or certificate system of wagering be conducted by the permit holder on any Greyhound races except the races at the race track grounds or enclosure for which the person, association, trust or corporation holds a permit. Each permit holder may retain as commission, not to

exceed fifteen per cent of the total of all money wagered each day. The permit holder may also retain the odd cents of all redistributions to be made on all compensation or French pools or certificate system, contributions exceeding a sum equal to the next lowest multiple of 10 cents. At the close of each raceing day the permit holder shall pay to the racing commission as a tax three per cent of the total of all money wagered each day.

In addition to the aforesaid taxes, each person, association or corporation authorized to conduct race meetings under this act shall pay to said racing commission fifteen per cent of all moneys received each day from admissions paid by persons attending said races or the sum of ten cents on each and every admission, whichever sum is the greater. Said payment shall be accompanied by a report under oath showing the total of all said contributions and admissions on the races covered by such report and such other information as said commission may require. If any free passes or complimentary admission cards shall be issued to guests by any licensee, the licensee of such track shall pay to the commission the same tax upon such complimentary admission cards as if same were sold at the regular and usual admission rate; but nothing herein shall be construed to prevent the issuance of tax free passes to officials and actual employees of the licensee or other persons engaged actually in working at such race track, provided, however, that the issuance of all such tax free passes shall be under the regulations or orders of the commission and a list of all officers and employees shall be filed with the commission.

The tax herein imposed shall be in lieu of all license, excise or occupational taxes to the Commonwealth of Kentucky, or any county, town or other political subdivision thereof, except that when any racing meeting is held or conducted in any incorporated city or town, such city and town shall have the right to assess and collect an additional tax against any per-

son, firm or association or corporation conducting Greyhound racing within its corporate limits not to exceed $50.00 per day.

§ 8. All moneys collected from the three per cent commission as above referred to and all moneys collected from the sale of admission tickets as above referred to shall be paid by the racing commission to the State Treasurer of this Commonwealth and that said moneys when paid to the State Treasurer shall be allocated to and used for the general common school fund.

§ 9. At least, eighty-five per cent of all persons connected with any race track authorized under this act including gatekeepers, announcers, ushers, shall be qualified electors of the Commonwealth of Kentucky, provided, however, that this section shall not apply to owners and trainers of racing Greyhounds.

§ 10. Election to be ordered on petition of voters upon application by written petition signed by a number of legal voters in any county to be affected by this act equal to twenty-five per cent of the votes cast therein at the last preceding general election. It shall be the duty of the judge of the county court in such county at the next regular term thereof, after receiving said petitions to make an order on his order book directing an election to be held in such county, to be affected thereby on some day named in said petition, no earlier than sixty days after said application is lodged with the judge of said court, which order shall direct the sheriff or court officer of said county who may be appointed to hold said election, to open a poll at each and all of the voting places in such county, city, town, district or precinct on said date for the purpose of taking the sense of the legal voters of such county who are qualified to vote at elections for county officers upon the proposition whether or not Greyhound racing shall be conducted in said county.

§ 11. It shall be the duty of the County Clerk to give to the sheriff of the county or such officer as may be appointed

to hold said election, a certified copy of the order of the county court as it appears on the order book within five days after said order is made; and it shall be the duty of said sheriff or other officer to have said order published in some weekly or daily paper published in the county for at least two weeks before the election and also to advertise the same by printed or written handbills posted at some conspicuous place in each precinct in the county for the same length of time when the election is held for the entire county; the sheriff or other officer shall have the advertisements and notices herein provided for, posted as herein required within seven days after he receives the order of the county court. All elections provided for in this act shall be held by such officers as would be qualified to hold elections for county officers and they shall be selected in the same way, and all elections provided for herein shall be held in accordance with the provision with the general election laws of the state, except that they shall not be held on the same day with any regular political election nor within thirty days next preceding or following any such regular, political election.

§ 12. If it shall be found that a majority of the legal voters cast at any election herein provided for were given for or against Greyhound racing, it shall be the duty of the canvassing board to certify that fact which certificates shall be delivered to the clerk of the County Court and by him safely kept until the next regular term of the County Court at which term the judge thereof shall have the same spread on the order book and said entry of certificate in the order book or a certified copy thereof shall be prima facie evidence in any and all proceedings under this act.

§ 13. The result of said election when so held under the provisions of this act shall determine the question for a period of five years and no election shall be held again upon the subject for a period of five years.

Mr. Sidebottom offered the following amendments to said bill, viz.:

1. Amend H. B. 534 by inserting in Section 10, line 8, page 7, after the word "days" the following: "and not later than ninety days".

2. Amend H. B. 534 by adding to Section 12, after the word "act" and the period on page 9, the following: "If the majority of the votes cast in the election herein provided for were against Greyhound racing, such Greyhound racing shall not be permitted in the county, and any act of Greyhound racing in that county shall then be prosecuted under the penalties provided in paragraph 4 of this Act."

Mr. Dickson moved that amendment No. 1 as offered by Mr. Sidebottom, be laid on the table.

Said motion was agreed to.

The yeas and nays being required thereon by Messrs. Hunnicutt and Claxon, were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Howard G. Early	Leslie Larrimore
C. W. Anderson, Jr.	Chas. P. Farnsley	Lloyd MacDonald
H. T. Baker	James Garnett, Jr.	Elmer McGlothen
G. M. Ballard	Ferd A. Gnau	John Marshall
Reuben J. Boling	Eugene Gough	D. T. Matlack
Ollie J. Bowen	Ben Grogan	Duke Mayfield
Dr. R. A. Byers	Jas. T. Hamilton	G. S. Milam
Floyd Clark	W. L. Hampton, Jr.	W. H. Miller
Roscoe Claxon	Thomas W. Hines	W. E. Mull
J. A. Coleman	Clyde S. Howard	Tyler Munford
Harry Davis	Ira W. Hulette	Russell O'Neill
Sam Dever	J. H. Jones	A. W. Pfeiffer
Stanley S. Dickson	O. C. Jones	Hobart Rayburn
George W. Dunlap	R. T. Kirkman	W. T. Rollo

Carl Scheben	Chester D. Silvers	L. R. Wells
Carl Schneider	H. C. Steely	Charles Wylie
Ray O. Shehan	J. J. Thomas	—50

Those who voted in the negative were—

F. T. Allen	John M. Hunnicut	Joe E. Robinson
W. T. Baker	Ben W. Johnson	John C. Robinson
B. F. Bedford	J. F. Ladd	A. W. Ross
Wallace Brown	M. T. McCarthy	Dr. B. F. Shields
Jas. C. Carter	T. B. McConnell	P. L. Sidebottom
V. O. Chandler	J. L. McDermott	Bruce Sloan
George S. Clay	W. F. McGary	Henry Stewart
Roy Conway	C. S. Matherly	Dr. H. S. Swope
Herbert Cook	John B. Mollett	W. R. Tapp
Walter R. Fannin	Rodes K. Myers	R. Van Bever, Jr.
T. P. Fitzpatrick	J. C. Nickell	S. J. Wagner
H. Myer Garner	J. C. Ramey	Joseph L. Wall
G. W. Garrett	Harry C. Records	Henry Ward
C. L. Hammons	L. K. Rice	W. G. Williams
Price Holbrook	Wade H. Riley	—44

And so said bill was tabled.

At the instance of Rules Committee the following bills were introduced:

By Dr. Shields:

H. B. 630. An Act relating to public roads and bridges; providing State aid for the improvement, reconstruction and maintenance of county roads; prescribing certain duties of the State Highway Commission and the Fiscal Courts in relation thereto; making an annual appropriation from the State Road Fund; repealing all laws and parts of laws in conflict with this Act, and declaring an emergency.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby appropriated out of the State Road Fund the sum of Two Million ($2,000,000.00) Dollars annually, beginning April 1, 1936, to be issued by the State Highway Commission for the improvement, reconstruction and maintenance of county roads and bridges which have not been accepted by the State Highway Commission for maintenance.

§ 2. The State Highway Commission, as soon as practical after April 1, 1936, shall allocate, set apart, and include in its budget the sum of Two Million ($2,000,000.00) Dollars for each fiscal year to be used for the purposes set forth in Section 1 of this Act. Said sum shall be apportioned to each of the several counties of this Commonwealth on the basis of the ratio which the square mile area of the county bears to the total square mile area of this Commonwealth. The amount so apportioned to each county, subject to the conditions and and restrictions imposed by this Act shall be expended by the State Highway Commission in that county for maintenance, reconstruction and improvement of the county roads and bridges which have not been accepted by the State Highway Commission for maintenance as a part of the State Primary Road System.

§ 3. The funds apportioned the several counties by Section 2 of this Act shall be used for the purposes provided herein by the State Highway Commission in accordance with previously agreed to and accepted plans prepared jointly by the Fiscal Courts of the several counties and the State Highway Commission, or prepared by one or the other and jointly approved. Said plans shall take into consideration the mileage of county roads in the particular county, the condition and needs of such roads and the manner in which said funds shall be expended by the State Highway Commission for the fiscal year to which the agreement applies. Said plan for each county shall be formulated and agreed to as soon as

practicable after the effective date of this Act, for the then current fiscal year and annually thereafter. If at the end of any fiscal year of the State Highway Commission, any county or counties have failed or refused to comply with the provisions of this Act the funds apportioned said county or counties for that year shall, to the extent that same has not been obligated by the joint agreement between the Highway Commission and the Fiscal Court of the county, be released and shall revert to the State Highway Fund for such other uses as the State Highway Commission may determine.

§ 4. All of the funds appropriated and made available for use under the provisions of this Act shall be expended by or under the direction of the State Highway Commission of Kentucky, and no part of the funds appropriated or made available by the provisions of this Act in any event shall be turned over to the Fiscal Court of or to any county.

§ 5. In order to provide for the simplification of the administration, and for as nearly as practical the uniform operation of this Act, the State Highway Commission is hereby authorized to prescribe such reasonable rules and regulations, not inconsistent with the provisions of this Act, as it may deem necessary and proper for the information and guidance of the Fiscal Courts of the several counties.

§ 6. Nothing in this Act shall be construed as prohibiting any county from spending county road funds for the further and additional maintenance, reconstruction and improvement of county roads; and, the agreements between the Fiscal Courts and the State Highway Commission may provide that such county road funds shall be turned over to and expended by the State Highway Commission in like manner as the funds made available for expenditure in the counties by the provisions of this Act.

§ 7. Whereas, the next ensuing fiscal year of the State Highway Commission will begin April, 1936; and,

Whereas, it is deemed important by the General Assem-

bly that the benefits to the counties which this Act provides should be made available promptly in order to enable the State Highway Commission and the Fiscal Courts of the respective counties to make plans and agreements for the next ensuing fiscal year, an emergency is hereby declared to exist and this Act shall become effective immediately upon its passage and approval by the Governor.

By Mr. Sloan:

H. B. 631. An Act creating and establishing as a part of the primary system of highways of the Commonwealth of Kentucky, a road from Highway No. 90 at Jim Lewis's to Thomas's Store on Burkesville and Columbia Highway, a distance of 6½ miles in Cumberland County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State highways of the Commonwealth of Kentucky, a road from Highway No. 90 at Jim Lewis's to Thomas's Store on Burkesville and Columbia Highway, a distance of 6½ miles in Cumberland County.

§ 2. This road thus established to be entitled to receive all benefits of such laws as are now or may hereafter be in effect relating to the primary system of roads and highways in the Commonwealth of Kentucky.

By Mr. Ballard:

H. B. 632. An Act to repeal, amend and re-enact Section 965-27, Carroll's Kentucky Statutes, 1930 Edition, relating to and fixing the time of holding Courts in the 27th Judicial District and adding to said Districts, Rockcastle County, which is now in the 28th Judicial District, and making the 27th Ju-

dicial District composed of Clay County, Jackson County, Laurel County and Rockcastle County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 965-27, Carroll's Kentucky Statutes, 1930 Edition, be and the same is hereby repealed, amended and re-enacted so when amended and re-enacted, same shall read as follows:

Clay County—in Manchester—On Third Monday in January, and continuing 18 juridical days; Third Monday in April and continuing 18 juridical days; Third Monday in September and continuing 24 juridical days.

Jackson County—in McKee—On First Monday in January and continuing 12 juridical days; Fourth Monday in March and continuing 12 juridical days; Fourth Monday in October and continuing 18 juridical days.

Laurel County—in London—Second Monday in February and continuing 30 juridical days; First Monday in June and continuing 30 juridical days; Third Monday in October and continuing 30 juridical days.

Rockcastle—at Mt. Vernon—Second Monday in May and continuing 18 juridical days; Second Monday in July and continuing 24 juridical days; Fourth Monday in November and continuing 18 juridical days.

All laws in conflict herewith are hereby repealed.

By Mr. Gough:

H. B. 633. An Act to re-establish and maintain a separate function of the Legislative, Judicial, and Executive of the State Government, whereas in the past the Executive has often influenced unduly the functions of the Legislative branch even to the point that a government could claim to purchase the Legislature with 100 jobs.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That no Senator or Representative nor relative of such Legislator as hereinafter described shall, while the Legislature is in session nor within the period of six (6) months after the sine die adjournment thereof, accept from the executive branch, any position, the emolument of which is derived from the State Treasury.

§ 2. The term relative as used in Section 1 shall mean mother, father, brother, sister, husband, wife.

§ 3. Any person violating the provisions of this act shall be guilty of a misdemeanor and shall be fined not less than One Hundred Dollars ($100.00) nor more than One Thousand Dollars ($1,000.00).

§ 4. An emergency is hereby declared to exist and this act shall take effect from and after the passage of the bill and approval by the Governor.

To Committee on Rules.

A message was received from the Senate, announcing that they had passed a bill and resolution, entitled:

S. Res. 39. Resolution authorizing suits to be maintained for the recovery of taxes paid under the provisions of Chapter 149 of the Acts of the General Assembly of 1930; etc.

S. B. 251. An Act to prevent the spread and to eradicate Johnson Grass in Kentucky.

Ordered that said bills be printed and referred to Committee on Rules.

Mr. Hammons moved that the House do now adjourn.

Said motion was disagreed to.

Dr. Shields moved that the House do now recess until seven o'clock P. M.

Said motion was agreed to.

And then the House recessed.

NIGHT SESSION

The hour of seven o'clock P. M. having arrived, the Speaker resumed the Chair and called the House to order.

Mr. Myers moved that the Rules of this House be suspended and that debate on all bills be limited to ten minutes for the proponents and ten minutes for the opponents.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 106. An Act to amend and re-enact Section 4399, Subsection 17, and Section 4399, Subsection 24, Baldwin's Revision of Carroll's Kentucky Statutes, providing for the election of board members in county school districts.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 4399, Subsection 17, and Section 4399, Subsection 24, of Carroll's Kentucky Statutes, Baldwin's Revision of 1934, providing for uniform public system, be and the same are hereby amended and re-enacted that when so amended and re-enacted they shall read as follows:

Section 4399, Subsection 17:

"Each county district in this Commonwealth is hereby placed under the management and control of a board of education, consisting of five members to be nominated and elected from their respective divisions as hereinafter provided for."

Section 4399, Subsection 24:

"It shall be the duty of the county board of education, of each county in this state, serving at the time this act goes into effect, as soon as practicable after this act goes into effect, but not later than July 1, 1937, to meet and divide their respective school districts into five divisions as nearly equal in population as is practicable, and cause boundaries to be made for such division, which shall be recorded in a book to be kept in the office of the county board of education, provided that division shall contain so far as practicable integral voting precincts. No two board members to be elected after the passage of this act shall reside in the same division of the county district.

"Any citizen may except to the action of the board in forming any division, and shall have the right to be heard, and if any citizen residing in such division shall feel himself aggrieved, he shall have a right to prosecute an appeal to the county court, and from the county court to the circuit court in which such county is located. The procedure on appeal shall be the same as in other civil cases.

"All laws and parts of laws in conflict with these sections are hereby repealed."

Mr. Howard offered the following amendment by way of Substitute, to said bill, viz.:

Substitute for H. B. 106. An Act to amend and re-enact Section 4399, Subsection 24, Baldwin's revision of Carroll's Kentucky Statutes, providing for the election of board members in school districts.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 4399, Subsection 24, of Carroll's Kentucky Statutes, Baldwin's Revision of 1934, providing for a uniform public school system, be and the same is hereby amended and re-enacted so that when so amended and re-enacted it will read as follows:

"Section 4399, Subsection 24. Manner of the election of school board members.—School Board members in each independent school district shall be elected from the school district at large for a term of four years by the legal voters of the school district. Each county school district in this Commonwealth shall be divided into five educational divisions and one school board member of each county district shall be elected from each of said divisions for a term of four years by the legal voters of said division. It shall be the duty of the board of education of the county district of each county in this state, serving at the time this act goes into effect, as soon as practicable after this act does go into effect, but not later than July 1, 1937, to meet and divide the county school district of said counties into five educational divisions as nearly equal in population as is practicable, and to cause boundaries to be made for such divisions, which shall be recorded in a book to be kept in the office of the county board of education, provided that each division shall contain so far as practicable integral voting precincts. No two board members to be elected after the passage of this act shall reside in the same division of the county district.

"Any citizen may except to the action of the board in forming any division, and shall have the right to be heard and if any citizen residing in such division shall feel himself aggrieved, he shall have a right to prosecute and appeal to the county court, and from the county court to the circuit court, in which such county is located. She procedure on appeal shall be the same as in other civil cases.

"All laws and parts of laws in conflict with these sections are hereby repealed."

Mr. Gnau moved that said bill be laid on the Clerk's desk.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 371. An Act to repeal, amend, and re-enact Chapter 7, Section 22 of the Acts of the General Assembly of 1912, being Section 1550-22 of Carroll's Kentucky Statutes of 1930, relating to appointment of officers in primary elections, and providing for their appointment when only one party is holding a primary.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 22 of Chapter 7 of the Acts of the General Assembly of 1912, being Section 1550-22 of Carroll's Kentucky Statutes of 1930, be repealed, amended, and re-enacted so as to read as follows:

Officers of election for the primary shall be appointed by the county board of election commissioners as provided by law in the case of the November elections. Provided, that the lists of names selected by the several party committees shall be submitted to said board not less than fifteen days before the holding of the primary and shall be open to inspection thereafter; and provided, that candidates before the primary shall be entitled, if they so desire, to unite regardless of party, in designating the names of persons to be appointed officers of election, under the rules hereinafter laid down. All designations of persons selected by candidates for appointment

shall be made by written notice to said boards, delivered to any member thereof, not later than ten days before said primary. Any group of twenty-five per cent (25%) of all candidates before the primary shall be entitled to have appointed as an election officer one person in each precinct for which a name is so submitted. In cases where names are so designated for several precincts, the persons so designated shall be appointed to equal proportion to the offices of clerk, sheriff and judge in the different precincts. In like manner, fifty per cent (50%) of all candidates before the primary shall be entitled to designate two persons to be appointed officers of election in each precinct. In such cases one of the persons so designated shall be appointed clerk of election in one-half of the precincts for which names are so designated. If seventy-five per cent (75%) of all candidates so unite they shall be entitled to designate three persons to be appointed officers of election in each precinct, and one of the persons so designated shall be appointed clerk of election in each of three-fourths of all precincts for which names are so designated; and all the candidates by so uniting shall be entitled to the appointment of four officers of election in each precinct for which names are thus designated.

In cases where candidates unite in the selection of persons to be appointed officers of election, as herein provided, the lists of names submitted by the party committees shall be treated by the board of election commissioners as follows: If only one group of twenty-five per cent (25%) of the candidates unite in selecting one person to be appointed an officer of election in each precinct so designated, said board shall appoint only one officer of election for such precinct or precincts from the list submitted by the committee of that party whose candidates form a majority of the signers of such written designation. If the signers of such list are divided equally between the parties, then the lists of names submitted by each party committee shall have chosen from it only one name for

an officer of election in every other precinct among those for which names are thus designated. If two groups of twenty-five per cent (25%) or one group of fifty per cent (50%) of all candidates so unite in designating persons to be appointed officers of election in one or more precincts, the remaining officers in such precincts, shall be selected equally from the lists of the several party committees. In the event that seventy-five per cent (75%) of all candidates unite to procure the appointment of election officers in one or more precincts, or if three groups of twenty-five per cent (25%) of the candidates, or one group of fifty per cent (50%) and another of twenty-five per cent (25%) of the candidates submit names under the provisions of this section, the remaining officer of election in each of such precincts shall be chosen alternately from the lists of the different party committees. Provided, however, that when only one political party is holding a primary election, then all four of the election officers shall be selected from the members of said political party, in the manner above provided.

All persons who are to act as election officers shall be appointed by said board in accordance with the foregoing provisions, and the list of officers of election with the office to which each person is appointed shall be made up and open to inspection by any candidate, not later than the noon on the Saturday preceding the day of the primary.

The duties herein provided shall be enforceable against said county board of election commissioners, on the petition of any candidate, by the writ of mandamus. Proceedings in such cases shall be instituted in the circuit court. The proceedings shall be summary and without delay, and the orders of the court shall be final and not appealable.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of

said bill at length being dispensed with, said bill was read the third time by its title only and rejected.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

W. T. Baker	Price Holbrook	Wade H. Riley
B. F. Bedford	Ben W. Johnson	Carl Scheben
Roscoe Claxon	R. T. Kirkman	P. L. Sidebottom
George S. Clay	J. F. Ladd	W. R. Tapp
Sam Dever	M. T. McCarthy	Joseph L. Wall
Stanley S. Dickson	Elmer McGlothen	Henry Ward
T. P. Fitzpatrick	D. T. Matlack	L. R. Wells
Eugene Gough	Duke Mayfield	W. G. Williams
W. L. Hampton, Jr.	Rodes K. Myers	
Thomas W. Hines	Harry C. Records	—28

Those who voted in the negative were—

F. T. Allen	G. W. Garrett	Russell O'Neill
C. W. Anderson, Jr.	Ferd A. Gnau	Mel Petry
G. M. Ballard	Ben Grogan	A. W. Pfeiffer
Reuben J. Boling	Jas. T. Hamilton	J. C. Ramey
Ollie J. Bowen	C. L. Hammons	Hobart Rayburn
Wallace Brown	Clyde S. Howard	L. K. Rice
Dr. R. A. Byers	John M. Hunnicut	W. T. Rollo
Jas. C. Carter	J. H. Jones	Ray O. Shehan
V. O. Chandler	T. B. McConnell	Chester D. Silvers
Floyd Clark	Lloyd MacDonald	Bruce Sloan
J. A. Coleman	W. F. McGary	H. C. Steely
Roy Conway	John Marshall	Henry Stewart
Herbert Cook	G. S. Milam	Dr. H. S. Swope
Harry Davis	W. H. Miller	J. J. Thomas
Howard G. Early	John B. Mollett	R. Van Bever, Jr.
Walter R. Fannin	W. E. Mull	S. J. Wagner
H. Myer Garner	Tyler Munford	Charles Wylie
James Garnett, Jr.	J. C. Nickell	—53

Mr. Gnau moved that the vote by which said bill was rejected be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 254. An Act to amend and re-enact Section 3235DD-49 of the 1933 Supplement to the 1930 Edition of Carroll's Kentucky Statutes, being Chapter 91, Section 34, of the Acts of 1930, pertaining to the abolition of the City Manager Form of Government in Cities of the Second Class, the return to Councilmanic Form of Government or the Commission Form, and providing for the manner in which same may be done.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 3235DD-49 of the 1933 Supplement to the 1930 Edition of Carroll's Kentucky Statutes be amended and re-enacted so that when so amended and re-enacted the same shall read as follows:

Whenever the citizens of any city which shall have been organized and governed under the provisions of this act for a period of not less than four years, shall desire that the organization and government of such under the provisions of this act shall terminate and cease, and shall desire that said city be organized and governed either under the "Councilmanic Form of Government", under the provisions of an act entitled: "An act for the Government of Cities of the Second Class in the Commonwealth of Kentucky," approved March 19, 1894, as amended, or shall desire that said City shall be organized and governed under the provisions of an

Act entitled "Commission Form of Government", being the Act of March 21, 1910, and its amendments, known as The Commission Form of Government Act and published as Sections 3235C-1 and 3235D-1, et seq., of the Kentucky Statutes, and said citizens shall file with the County Judge of the County in which is located said city, written petitions signed by a number of the legal voters of said city equal to twenty-five per centum (25%) of the votes cast in the said city at the last preceding general election, it shall be the duty of the County Judge of the said county to receive said petitions and at the next regular term thereafter to make an order on his order books, directing an election to be held in said city at the next regular election and not earlier than sixty (60) days after said application is lodged with said judge, which order shall direct the sheriff or other officer of said county who may be appointed to hold said election, to open the polls at each and all voting places in said city for the purpose of taking the sense of the qualified voters of said city upon the question as to whether or not the citizens of said city are in favor of the abandonment of the organization and government of said city under the provisions of this act and the adoption of either the Councilmanic Form of Government or of the Commission Form of Government as provided for in the respective Acts hereinabove referred to and the amendments thereto. The question to be submitted to the voters shall be: "Shall the city of ..... (naming said City) abandon its organization and government under the city manager form of government as provided for in an Act entitled (naming this act and giving the year or date of passage or approval, or both), and be organized or governed under the Councilmanic Form of Government as provided for in an Act entitled: 'An Act for the Government of Cities of the Second Class in the Commonwealth of Kentucky, approved March 19, 1894, and the amendments thereto,'?" or in the event it is proposed to abandon the said City Manager Form of Govern-

ment and return to the above stated Commission Form of Government, then the question to be submitted to the voters shall be: "Shall the City of.....(naming said City) abandon its organization and government under the City Manager Form of Government as provided for in an Act entitled (naming this Act, and giving the year or date of passage or approval, or both), and be organized and governed under the Commission Form of Government under the provisions of an Act entitled 'Commission Form of Government', the same being the Act of March 21, 1910, and its amendments, known as the Commission Form of Government Act and published as Sections 3235C-1, et seq., and 3245D-1, et seq., with the amendments thereto of the Kentucky Statutes?" Provided, however, that said written petitions, hereinabove referred to, shall specify the form of Government to which said legal voters desire to return, and that the said question which shall be put to the said voters must specify but one form of government and that form to be identical with that mentioned in the said written petitions hereinabove referred to. It shall be the duty of the County Clerk to give to the sheriff of the County or to such other officer as may be appointed to hold said election, a certified copy of the order of the County Court as it appears on the order book, within five days after such order is made and it shall be the duty of the said sheriff or other officer, to have such order published in some weekly or daily newspaper, published or circulated in said County for at least two weeks before the election and also to advertise the same by printed or written handbills posted in conspicuous places in said city, for the same length of time. If there is no weekly or daily newspaper published in said city, or the proprietor of such paper refuses to publish such notice, the printed or written handbills provided for shall be sufficient notice. The sheriff or other such officers shall have the advertisements and notices herein provided for, posted as herein required, within seven days after he receives

the orders of the County Court. It shall be the duty of canvassing board to certify the result of said election to the County Court, which certificate shall be delivered to the Clerk of the City and at the next regular term of said Court the County Judge shall cause the same to be spread upon the order book of said court and the entry of said certificate on the order book or copy thereof shall be prima facie evidence of the facts therein contained. When a majority of the votes cast shall be in favor of said proposition to be submitted, and said fact shall be certified to as hereinbefore provided, by the said canvassing board to the County Clerk and a copy of which shall be certified to the city clerk and said copy of said certificate shall be spread upon the records of said county, as herein provided, and upon the records of said city at the next regular meeting of the board of commissioners thereupon said city shall cease to be governed by the provisions of this act, but thereafter shall be governed either by the Councilmanic Form of Municipal Government as provided for in an act entitled "An Act for the government of cities of the second class in the Commonwealth of Kentucky", and the amendments thereto, which said Act was approved March 19, 1894, or under the Commission Form of Government as provided for in an act entitled "Commission Form of Government", and amendents thereto, which said act was approved March 21, 1910, and published as Sections 3235C-1, et seq., and 3235D-1, et seq., of the Kentucky Statutes, independent of the provisions of this Act. The said form of government to be according to that specified in the said question submitted to the legal voters of the said city as hereinabove provided for. Provided that the commissioners theretofore elected shall continue in office and administer the government of such city until the expiration of the terms for which they were elected, and provided further that elections under this section shall not be held at the same time commissioners are elected.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

C. W. Anderson, Jr.
W. T. Baker
G. M. Ballard
B. F. Bedford
Reuben J. Boling
Ollie J. Bowen
Wallace Brown
Dr. R. A. Byers
Jas. C. Carter
V. O. Chandler
Floyd Clark
Roscoe Claxon
George S. Clay
J. A. Coleman
Roy Conway
Herbert Cook
Harry Davis
Sam Dever
Stanley S. Dickson
Howard G. Early
Walter R. Fannin
Chas. P. Farnsley
T. P. Fitzpatrick
H. Myer Garner
James Garnett, Jr.
G. W. Garrett
Ferd A. Gnau
Eugene Gough
Ben Grogan
Jas. T. Hamilton
C. L. Hammons
W. L. Hampton, Jr.
Price Holbrook
Clyde S. Howard
Ben W. Johnson
J. H. Jones
O. C. Jones
R. T. Kirkman
J. F. Ladd
John Marshall
D. T. Matlack
Duke Mayfield
Lloyd MacDonald
M. T. McCarthy
T. B. McConnell
John L. McDermott
W. F. McGary
Elmer McGlothen
W. H. Miller
John B. Mollett
W. E. Mull
Rodes K. Myers
J. C. Nickell
Russell O'Neill
Mel Petry
A. W. Pfeiffer
J. C. Ramey
Hobart Rayburn
L. K. Rice
Wade H. Riley
Joe E. Robinson
John C. Robinson
W. T. Rollo
Ray O. Shehan
Dr. B. F. Shields
P. L. Sidebottom
Chester D. Silvers
Bruce Sloan
H. C. Steely
Henry Stewart
Dr. H. S. Swope
W. R. Tapp
R. Van Bever, Jr.
S. J. Wagner
Joseph L. Wall
Henry Ward
L. R. Wells
W. G. Williams
Charles Wylie

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There voted in the negative—

George W. Dunlap

—1

Resolved that the title thereof be as aforesaid.

Mr. Scheben moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

A message was received from the Senate announcing that they had passed bills which originated in that body, entitled:

S. B. 284. An Act amending Section 3 of Article 5 of Chapter 65 of the Acts of the General Assembly of 1934, relating to independent school districts.

S. B. 277. An Act to amend Section 297, Civil Code of Practice, relating to application to a Judge of the Court of Appeals for the issue, reinstatement or dissolution of a temporary injunction.

Ordered that said bills be printed and referred to the Committee on Rules.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 124. An Act relating to the advancement of credit in the form of script for labor performed or to be performed.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Chapter 44 of Acts of the 1932 General Assembly be repealed, amended and re-enacted so that when so amended and re-enacted it shall read as follows:

(1) Any person, firm or corporation engaged in any

trade or business may issue, sell, give or deliver upon the request of any employee of such person, firm or corporation to such employee as a medium of credit in payment for labor performed or for labor to be performed, transferable scrip, tokens, drafts, orders or coupons, payable and redeemable in merchandise only when presented by the employee to whom issued and in cash if presented by any person, firm or corporation other than the person to whom issued, said redemption to be at such regular settlement day or pay day when the same will have been due in cash had not the said order, scrip or token been issued. Any person, firm or corporation failing or refusing to pay the employee or holder of said transferable scrip, tokens, drafts, orders or coupons, or any unused portion of the same for which labor has been performed on their regular settlement day or pay day, shall be deemed guilty of a misdemeanor, and, upon conviction, shall be punished by a fine of not less than twenty nor more than fifty dollars for each offense.

Mr. Brown offered the following amendments to said bill, viz.:

Amend H. B. 124 by inserting a comma (,) after the word "only" in line 9, page 1.

Amend H. B. 124 by inserting the word "issued" in line 10 on page 1 the following words: "at any time between regular settlement days or pay days".

Amend H. B. 124 by omitting from line 11 on page 1 the following words: "other than the person to whom issued, said redemption to be".

Amend H. B. 124 by omitting from line 14, page 1, the word "employee" and also the first word "or" in line 1 on page 2.

Said amendments were each and severally agreed to.

Ordered that said bill be engrossed, and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, said bill was read the third time by its title only and rejected.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen	Clyde S. Howard	A. W. Pfeiffer
Wallace Brown	Ben W. Johnson	J. C. Ramey
Roscoe Claxon	O. C. Jones	L. K. Rice
Roy Conway	T. B. McConnell	Wade H. Riley
Stanley S. Dickson	W. F. McGary	Dr. B. F. Shields
George W. Dunlap	John Marshall	P. L. Sidebottom
Eugene Gough	Duke Mayfield	Henry Stewart
Ben Grogan	John B. Mollett	J. J. Thomas
W. L. Hampton, Jr.	J. C. Nickell	Henry Ward
Thomas W. Hines	Russell O'Neill	
Price Holbrook	Mel Petry	—31

Those who voted in the negative were—

C. W. Anderson, Jr.	Herbert Cook	Jas. T. Hamilton
W. T. Baker	Harry Davis	C. L. Hammons
G. M. Ballard	Sam Dever	John M. Hunnicut
B. F. Bedford	Howard G. Early	J. H. Jones
Reuben J. Boling	Walter R. Fannin	R. T. Kirkman
Ollie J. Bowen	Chas. P. Farnsley	J. F. Ladd
Jas. C. Carter	H. Myer Garner	M. T. McCarthy
V. O. Chandler	James Garnett, Jr.	John L. McDermott
Floyd Clark	G. W. Garrett	Lloyd MacDonald
J. A. Coleman	Ferd A. Gnau	Elmer McGlothen

D. T. Matlack	Joe E. Robinson	Dr. H. S. Swope
G. S. Milam	John C. Robinson	W. R. Tapp
W. H. Miller	W. T. Rollo	R. Van Bever, Jr.
W. E. Mull	Carl Scheben	S. J. Wagner
Tyler Munford	Ray O. Shehan	Joseph L. Wall
Rodes K. Myers	Chester D. Silvers	L. R. Wells
Hobart Rayburn	Bruce Sloan	Charles Wylie
Harry C. Records	H. C. Steely	—53

Mr. Hammons moved that the vote by which said bill was rejected, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 512. An Act to amend and re-enact Section 165a-33 of the 1934 Supplement to Carroll's Kentucky Statutes, Baldwin's Revision.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 165a-33 of the 1934 Supplement to Carroll's Kentucky Statutes, Baldwin's Revision, be amended and re-enacted so that when so amended and re-enacted it shall read as follows:

"No dealer or salesman shall engage in business in this state as such dealer or salesman or sell any securities, including securities exempted in section twenty-five (K. S. Section 165a-24) of this Act, except in transactions exempt under section twenty-six (K. S. Section 165a-25) of this Act, unless he has been registered as a dealer or salesman in the office of the commissioner pursuant to the provisions of this Section.

"Every dealer subject to the provisions of this Act before engaging in business in this State shall file in the office of the Commissioner an application for registration in writing in such form as the commissioner may prescribe, duly certified by oath, which shall state the principal office of the applicant, wherever situated, and the location of the principal office and all branch offices in this State, if any, the name or style of doing business, the names, residences and business addresses of all persons interested in the business as principals, co-partners, officers and directors, specifying as to each his capacity and title, the general plan and character of business and length of time the dealer has been engaged in such business. The Commissioner may also require such additional information as to the applicant's previous history, record and association as he may deem necessary to establish the good repute in business of the applicant.

"Every such dealer shall file with his application an irrevocable written consent to the service of process upon the Banking and Securities Commissioner in actions against such dealer in manner and form as herein provided in section thirty-two (K. S. Section 165a-31).

"Every such dealer shall also file with his application a bond, with good and sufficient surety, which bond shall be approved by the Commissioner, running to the Commonwealth of Kentucky which said bond shall be in substantially the following form:

" 'Know All Men by These Presents, That.....of the State of....., having a place of business in....., Kentucky, as Principal, and the..... of....., authorized to conduct and carry on a general surety business in the State of Kentucky, as Surety, are held and firmly bound unto the Commonwealth of Kentucky in the sum of Five Thousand Dollars ($5,000.00) lawful money of the United States of America for the payment whereof well and truly

to be made, subject to the terms and provisions hereinafter set forth, the said Principal and the said Surety bind themselves, their heirs, successors and assigns, executors and administrators, jointly and severally, firmly by these preents.

" 'Whereas, the Banking and Securities Commissioner of the Commonwealth of Kentucky under the provisions of Chapter 17, Acts of the General Assembly of Kentucky of 1932, has registered the said ....., Principal herein named, as a dealer pursuant to Section 34 of said Act, being Section 165a-33 of the Kentucky Statutes.

" 'Now, Therefore, the Principal Condition of This Obligation is Such, that if the said Principal herein named, shall well and truly comply with the provisions of Chapter 17, Acts of the General Assembly of 1932 and existing amendments thereto, then this obligation to be null and void, otherwise to remain in full force and effect.

" 'This obligation is further conditioned, however, as hereinafter set forth:

" '1. That in no event shall the maximum liability hereunder of the Surety be more than Five Thousand Dollars ($5,000.00) regardless of the number of acts of omission or commission in violation of the before-mentioned Act which may be committed either by the Principal and/or its salesmen.

" '2. That before any person, firm or corporation shall have any right of action, or any recovery shall be had, against the surety upon this bond, such person, firm or corporation, shall within the period of two years after the occurrence of the act or acts complained of furnish unto the Surety written notice of claim under this bond. It is hereby stipulated and agreed that the giving of such notice of claim under this bond within the said period of two (2) years shall be a condition precedent to any right of actions against the Surety. Provided further that the liability of the surety on this bond shall be conditioned upon the faithful and substantial compliance

with the provisions of this Act by the dealer and by all salesmen registered by him.

" '3. That this bond is canceled in its entirety and is rendered null and void thirty days after receipt of written notice of the intention to cancel sent either by the Principal or the Surety via registered mail to the Banking and Securities Commissioner of the Commonwealth of Kentucky at its office in Frankfort, Kentucky. If this bond is canceled by the Surety, copy of said notice of cancellation shall be sent by registered mail to the Principal hereinunder simultaneously with the sending of such notice to the Commissioner. In case of cancellation by either the Principal or the Surety no further obligation shall be incurred under this bond by the Surety after the expiration of the thirty-day period set forth in such notice but the liability of the Principal and of the Surety shall continue as to any acts or omissions which may have occurred prior to the effective date of such cancellation.

" 'Provided, however, that nothing herein shall be construed to release the Principal from his obligations under Chapter 17, Acts of 1932, and amendments.

" 'Signed and sealed this..... day of....., 19.....'

"Said bond shall be duly executed in accordance with all laws governing surety bonds executed by Surety Companies under the laws of the Commonwealth of Kentucky.

"Each dealer must furnish the bond called for by this Act at the time of obtaining his license, and no license shall be issued until the said bond is furnished and approved by the Commissioner. All bonds executed under this Act shall expire upon the last day of each year in which same are executed and approved, unless continued by continuation certificate of the surety.

"In lieu of said bond the dealer applying for registration may, with the approval and consent of the Commissioner, if he so desires, deposit with the Banking and Securities Commissioner of the Commonwealth of Kentucky Five Thousand

($5,000.00) Dollars in cash or bona fide securities, approved by the Commissioner, of the value of Five Thousand ($5,000.00) Dollars, the deposit of said securities to be always subject to the discretion of the Commissioner.

"Provided, however, that upon the bond required of any bank of trust company, or combined bank and trust company organized and doing business under the laws of this State or any National bank situated therein, its capital stock may be taken and considered as the only security required for the faithful performance of its duties. If the Commissioner shall find that the applicant is of good repute and has complied with the provisions of this section, including the payment of the fee hereinafter provided, he shall register such applicant as a dealer. Provided that banks or trust companies or combined bank and trust companies which may become dealers under this Act, may, when required to execute as dealers the bond required therein, execute said bond without surety, when by action of the board of directors the capital stock is authorized to be pledged as surety; and when so pledged no other surety shall be required.

"Upon the written application of a registered dealer and general satisfactory showing as to good character and the payment of the proper fee the Commissioner shall register as salesman of such dealer such natural persons as the dealer may request. No dealer or salesman shall sell or offer to sell any security the sale of which has not been authorized by the Commissioner and the Commissioner shall deliver to each dealer and salesman a license prepared and printed in such form as he shall prescribe.

"The names and addresses of all persons approved for registration as dealers or salesmen and all orders with respect thereto shall be recorded in a Register of Dealers and Salesmen, kept in the office of the Commissioner, which shall be open to public inspection. Every registration under this section shall expire on the 31st day of December in each year,

but renewal registrations for the succeeding year shall be issued upon written application and upon payment of the fee as hereinafter provided without filing of further statements or furnishing any further information unless specifically required by the Commissioner.

"Applications for renewals must be made not less than thirty (30) nor more than sixty (60) days before the first day of the ensuing year, otherwise they shall be treated as original applications. The fee for such registration shall be $50.00 and for each annual renewal shall be $25.00 in the case of dealers and $5.00 in the case of salesmen, for registration, and $5.00 for each annual renewal.

"Changes in registration occasioned by changes in the personnel or a partnership or in the principals, co-partners, officers, directors, of any dealer may be made from time to time by written application setting forth the facts with respect to such change.

"Every registered dealer who intends to offer any security of any issue, registered or to be registered, shall notify the Commissioner in writing of his intention to do so. The notice shall contain the name of the dealer and shall state the name of the security to be offered for sale and whenever a dealer shall have prepared such notice and shall have forwarded the same by registered mail, postage prepaid and properly addressed to the Commissioner, such dealer, as to the contents of such notice and filing thereof, shall be deemed to have complied with the requirements of this paragraph. Any issuer of security required to be registered under the provisions of this Act, selling such securities except in exempt transactions as defined in section twenty-six (K. S. Section 165a-25) hereof, shall be deemed a dealer within the meaning of this section thirty-four (K. S. Section 165a-33) and required to comply with the provisions hereof."

Mr. Gnau offered the following amendment to said bill, viz.:

Amend H. B. 512 by striking from the printed copy, page 4, Section 3, line 18, the fifth word "duty" and inserting in lieu thereof the word "duly".

Said amendment was agreed to.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

W. T. Baker
B. F. Bedford
Ollie J. Bowen
Dr. R. A. Byers
Jas. C. Carter
V. O. Chandler
J. A. Coleman
Roy Conway
Sam Dever
Stanley S. Dickson
Walter R. Fannin
Chas. P. Farnsley
James Garnett, Jr.
G. W. Garrett
Ferd A. Gnau
Eugene Gough
Ben Grogan
C. L. Hammons
W. L. Hampton, Jr.
Thomas W. Hines
Price Holbrook
Clyde S. Howard
John M. Hunnicut
Ben W. Johnson
J. H. Jones
R. T. Kirkman
J. F. Ladd
M. T. McCarthy
T. B. McConnell
John L. McDermott
W. F. McGary
Elmer McGlothen
D. T. Matlack
Duke Mayfield
G. S. Milam
W. E. Mull
Tyler Munford
J. C. Nickell
Russell O'Neill
A. W. Pfeiffer
Hobart Rayburn
Wade H. Riley
W. T. Rollo
Carl Scheben
Ray O. Shehan
Dr. B. F. Shields
Chester D. Silvers
Bruce Sloan
H. C. Steely
Henry Stewart
Dr. H. S. Swope
W. R. Tapp
J. J. Thomas
Joseph L. Wall
Henry Ward
Charles Wylie

—56

Those who voted in the negative were—

Wallace Brown	O. C. Jones	Joe E. Robinson
Floyd Clark	John B. Mollett	John C. Robinson
George S. Clay	Harry C. Records	P. L. Sidebottom

—9

Resolved that the title thereof be as aforesaid.

Mr. Gnau moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 316. An Act to amend and re-enact Section 1093, Carroll's Kentucky Statutes, Official Edition, Revised 1930.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 1093, Carroll's Kentucky Statutes, Official Edition, Revised 1930, be and the same is hereby amended and re-enacted so that as amended and re-enacted, the same shall read as follows, to wit:

1093. Jurisdiction of Justices, Quarterly Courts and Police Courts in Penal Cases and of Misdemeanors; Violation of Ordinances.—

That justices and quarterly courts and the judges thereof, and police courts in cities of the first, second, third, fourth, fifth and sixth classes in this Commonwealth and the judges thereof, shall have jurisdiction exclusive of circuit courts in all penal and misdemeanor cases, the punishment of which is limited to a fine not exceeding twenty dollars ($20.00), and

jurisdiction concurrent with circuit courts of all penal cases and misdemeanor cases, the punishment of which is limited to a fine of not exceeding five hundred dollars ($500.00), or imprisonment not exceeding six months, or both; and in addition thereto, said courts shall have and exercise power and jurisdiction to adjudge the forfeiture and to revoke for the period of one year the license to operate a motor vehicle held by any person convicted in such court of operating a motor vehicle upon any of the highways of this Commonwealth while in an intoxicated condition; but said courts shall also have and exercise the same jurisdiction in the enforcement of city ordinances that is now given to them by law.

And quarterly courts and judges thereof may and shall take jurisdiction of all city ordinances in towns of the sixth class, imposing fines or forfeitures by ordinances in which said towns there is no acting or qualified police judge, and shall have full power to render and to enforce all judgments rendered thereon, and such judgments shall be for the use and benefit of said town of the sixth class.

Mr. Tapp offered the following amendment to said bill, viz.:

Amend H. B. 316 by striking therefrom all of lines 20 to 25, both inclusive, on page 2 of the printed bill.

Said amendment was agreed to.

Ordered that said bill be engrossed, and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, said bill was read the third time by its title only and rejected.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Ollie J. Bowen	M. T. McCarthy	L. K. Rice
Stanley S. Dickson	T. B. McConnell	Carl Scheben
Howard G. Early	John L. McDermott	P. L. Sidebottom
T. P. Fitzpatrick	W. F. McGary	W. R. Tapp
Ben Grogan	John Marshall	J. J. Thomas
Price Holbrook	G. S. Milam	R. Van Bever, Jr.
Clyde S. Howard	W. H. Miller	Joseph L. Wall
O. C. Jones	Mel Petry	Charles Wylie
J. F. Ladd	Harry C. Records	—26

Those who voted in the negative were—

F. T. Allen	James Garnett, Jr.	A. W. Pfeiffer
W. T. Baker	G. W. Garrett	J. C. Ramey
B. F. Bedford	Eugene Gough	Hobart Rayburn
Reuben J. Boling	C. L. Hammons	Wade H. Riley
Wallace Brown	W. L. Hampton, Jr.	Joe E. Robinson
Jas. C. Carter	Thomas W. Hines	John C. Robinson
V. O. Chandler	John M. Hunnicut	W. T. Rollo
Roscoe Claxon	Ben W. Johnson	Ray O. Shehan
George S. Clay	J. H. Jones	Dr. B. F. Shields
J. A. Coleman	R. T. Kirkman	Chester D. Silvers
Roy Conway	Lloyd MacDonald	Bruce Sloan
Herbert Cook	Elmer McGlothen	H. C. Steely
Sam Dever	D. T. Matlack	Henry Stewart
George W. Dunlap	Duke Mayfield	Dr. H. S. Swope
Walter R. Fannin	John B. Mollett	Henry Ward
Chas. P. Farnsley	W. E. Mull	L. R. Wells
H. Myer Garner	Tyler Munford	—50

Mr. Hammons moved that the vote by which said bill was rejected be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the following resolutions were introduced, viz.:

By Mr. Steely:

H. Res. 64. Resolution providing for the payment of bills created during the Laffoon Administration by the Military Department of the State, while on active duty; said Militia being ordered into active service by orders of Governor Ruby Laffoon and placed under the direction of the Adjutant General H. H. Denhardt and proceeding under his command into the following counties: Harlan, Clay, Christian, Hopkins, Rowan and Muhlenberg Counties, thereby creating an indebtedness in excess of the appropriation set up for said Militia during said Administration.

Said resolution is as follows, viz.:

Whereas, the said Militia having created this indebtedness while on active duty and the bills therefor now remain unpaid; and,

Whereas, the people who furnished provisions and other commodities have not been paid, and all bills having been properly filed and are now in the Auditor's office and amount to in the aggregate sum of $22,000; and,

Whereas, no part of said bills have been paid and the Auditor of Public Accounts has refused to certify said accounts for payment or draw his warrant upon the treasurer for said sums: Therefore,

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

That the Auditor of Public Accounts for the Commonwealth of Kentucky be directed to draw his warrant upon the Treasurer in favor of the creditors involved and the total sum of which shall not exceed $22,000 necessary to pay the bills created by the said State National Guard while in active

service by orders of the Governor and in pursuance to the said order were called on active duty by former Adjutant General H. H. Denhardt in the Counties of Harlan, Clay, Christian, Hopkins, Rowan and Muhlenberg, and there is now appropriated a sum not to exceed $22,000 for the purpose of paying the bills as set out in this resolution.

The Treasurer upon receipt of the Auditor's warrant is hereby directed to draw checks payable to the individuals who are creditors of the Commonwealth of Kentucky by reason of the indebtedness herein set out, and said checks will be in conformity with the said Auditor's warrant.

H. Res. 65. A Resolution providing for the payment of all outstanding back rentals created by the former Administration for the use of armories in the following towns: Ashland, Booneville, Carlisle, Harlan, Harrodsburg, Jackson, Lexington, Lexington Drill Field, Livermore, Louisville and Riding Hall, Marion, Monticello Armory and Monticello Stables, Olive Hill Armory, Pikeville Armory, Richmond, St. Matthews Armory, Springfield and Maysville.

Said resolution is as follows, viz.:

Whereas, It appears that the former Administration, under the order of the Armory Commission and during the Administration of former Adjutant General H. H. Denhardt, there was created a deficit in Armory rentals to the amount of $10,080.00 prior to the fiscal year 1935, and to pay said rentals and there being no funds available to pay same and said rents are due to the following named persons and the amount therefor, opposite their names: Therefore,

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

That there is now appropriated the sum of $10,080.00 to pay the above list of creditors of the Commonwealth of Kentucky by reason of the Armory rentals and there is now appropriated said sum to each of said individuals according to

the amount set opposite their names, as herein set out, as follows:

Mr. H. R. Dysard	$ 150.00
Chas. L. Seale	180.00
Nicholas Post No. 17, American Legion	180.00
E. S. Shoemaker	300.00
Mrs. D. L. Moore	180.00
J. P. Cain	210.00
County of Fayette	300.00
William Preston and Dr. S. H. Halley	300.00
Masonic Temple Association	300.00
Jefferson County	3,000.00
Riding Hall Armory	3,000.00
Miss Opal Shelby	300.00
Fate C. Miller	30.00
Joel L. Stokes	150.00
E. L. Raybourn	240.00
Myrtle L. Keyser	300.00
Lydia McKee and Mrs. R. J. McKee	360.00
E. L. Eline	210.00
Washington Co. Fair Association	150.00
Leslie H. Arthur Post 13, American Legion	240.00
Total	$10,080.00

The Auditor of Public Accounts will draw Warrants upon the Treasurer, payable to each of the foregoing persons as above set out, for the said amount as set opposite their respective names.

A list of names, the kind of property and the period covered, together with the amount due is attached hereto and made a part of this resolution.

Name of Owner	Property	Period Covered	Amount Due
Mr. H. R. Dysard,	Ashland Armory,	Jan. 1, 1935, to July 1, 1935	$ 150.00

Chas. L. Seale, Booneville Armory, Jan. 1, 1935, to July 1, 1935	180.00
Nicholas Post No. 17, American Legion, Carlisle, Jan. 1, 1935, to July 1, 1935	180.00
E. S. Shoemaker, Harlan Armory, Jan. 1, 1935, to July 1, 1935	300.00
Mrs. D. L. Moore, Harrodsburg Armory, Jan. 1, 1935, to July 1, 1935	180.00
J. P. Cain, Jackson Armory, Jan. 1, 1935, to July 1, 1935	210.00
County of Fayette, Lexington Armory, Jan. 1, 1935, to July 1, 1935	300.00
William Preston and Dr. S. H. Halley, Lexington Drill Gr., Jan. 1, 1935, to July 1, 1935	300.00
Masonic Temple Association, Livermore Armory, Jan. 1, 1935, to July 1, 1935	300.00
Jefferson County, Louisville Armory and Riding Hall, Jan. 1, 1935, to July 1, 1935	3,000.00
Also Jan. 1, 1934, to July 1, 1934	3,000.00
Miss Opal Shelby, Marion Armory, Jan. 1, 1935, to July 1, 1935	300.00
Fate C. Miller, Monticello Armory, Jan. 1, 1935, to July 1, 1935	30.00
Joel L. Stokes, Monticello Stables, Jan. 1, 1935, to July 1, 1935	150.00
E. L. Raybourn, Olive Hill Armory, Jan. 1, 1935, to July 1, 1935	240.00
Myrtle L. Keyser, Pikeville Armory, Jan. 1, 1935, to July 1, 1935	300.00
Lydia McKee and Mrs. R. J. McKee, Richmond Armory, Jan. 1, 1935, to July, 1, 1935	360.00
E. J. Eline, St. Matthews Armory, Jan. 1, 1935, to July 1, 1935	210.00
Washington Co. Fair Association, Springfield Stables and Field, Jan. 1, 1935, to July 1, 1935	150.00

Leslie H. Arthur Post 13, American Legion, Maysville Armory, Jan. 1, 1935, to July 1, 1935	240.00
Total	$10,080.00

Ordered that said resolutions be printed and referred to Committee on Rules.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 370. An Act amending and re-enacting Sections 4224b-2, 4356s-5 and 4356s-6, Kentucky Statutes, 1930 Edition.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 4224b-2 of the Kentucky Statutes, 1930 Edition, be amended by adding thereto the following language:

"Provided that the State Highway Commission may set apart one-half (½) of one (1¢) cent per gallon of the gasoline tax to be used to retire, pay or purchase Bridge Bonds and to pay the interest thereon on Intra-State systems of highways in Kentucky", so that said Section as thus amended and re-enacted will read as follows:

"All taxes collected under the provisions of this Act shall be paid into the state treasury, and shall be used only for the purpose of the construction, reconstruction, maintenance and repair of roads, highways and bridges. Provided that the State Highway Commission may set apart one-half (½) of one (1¢) cent per gallon of the gasoline tax to be used to retire, pay or purchase Bridge Bonds and to pay the interest thereon on intra-state systems of highways in Kentucky."

§ 2. That Section 4356s-5, Kentucky Statutes, 1930 Edi-

tion, be amended by adding thereto the following language, to wit:

"Provided that when the Commission shall set apart one-half (½) of one (1¢) cent per gallon of the tax on gasoline for the purpose of paying interest, retiring, paying or purchasing Bridge Bonds, then such bridges on the Intra-State Highway System shall be free from tolls, and continue as toll-free bridges", so that said Section as thus amended and re-enacted will read as follows:

"The Commission may, through its own engineers, design all bridges the building of which is authorized by this act; and may build same either with its own employees or by contract with any person, firm, or corporation, and any or all of such bridges, whether built by contract or by the commission, shall be paid for out of the funds provided for by this act. Provided, however, that no bridge or bridges shall be built by the commission with its own employees, except after such advertising for bids and the reception thereof, and the rejection thereof, as is now provided for the construction of highways under the control of said commission, and subject to the further provisions of this act as to advertising. The commission may reject any and all bids.

When any of the bonds authorized by this act become due, payment shall be made to the holder or holders of the bonds; and, as hereinbefore said, such payment shall be made out of tolls collected on bridges; and, in addition thereto, in event the tolls be insufficient, by the enforcement of the lien herein given on the bridge or bridges; and the good faith of the Commonwealth hereby is pledged to give its moral support to the payment of both principal and interest on said bonds. The interest on said bonds shall be paid semi-annually, viz., July first and January first. Any bond which may be issued under the provisions of this section, shall, like the bonds issued under any other section hereof, be free from taxation. Provided that when the Commission shall set

apart one-half (½) of one (1¢) cent per gallon of the tax on gasoline for the purpose of paying interest, retiring, paying or purchasing Bridge Bonds, then such bridges on the Intra-State Highway System shall be free from tolls, and continue as toll-free bridges."

§ 3. That Section 4356s-6 of the Kentucky Statutes, 1930 Edition, be amended by adding thereto the following language, to wit:

"Provided that when the Commission shall set apart one-half (½) of one (1¢) cent per gallon of the tax on gasoline for the purpose of paying interest, retiring, paying or purchasing Bridge Bonds, then such bridges on the Intra-State Highway System shall be free from tolls, and continue as toll-free bridges", so that said Section as thus amended and re-enacted will read as follows:

"The commission hereby is empowered to charge and collect tolls and fix the rates thereof for such length of time as, in the opinion of the commission, will be sufficient to pay off such bonds, and interest thereon, as may have been issued for the erection or purchase of any bridge or bridges; and may be retired at any time thereafter, not less, however, than one year after its or their issue. The rate of tolls to be charged and collected, if fixed in any bond or bonds, shall not be reduced without the consent of the holder or holders thereof. Provided that when the Commission shall set apart one-half (½) of one (1¢) cent per gallon of the tax on gasoline for the purpose of paying interest, retiring, paying or purchasing Bridge Bonds, then such bridges on the Intra-State Highway System shall be free from tolls, and continue as toll-free bridges."

§ 4. All laws and parts of laws in conflict herewith, are, to the extent of such conflict, hereby repealed.

Mr. Bowen offered the following amendment to said bill, viz.:

Amend H. B. 370 by inserting therein in line 4 of the printed bill between the words "apart" and "one-half" the words "not exceeding" and throughout the printed bill wherever such words appear.

Said amendment was agreed to.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, said bill was read the third time by its title only and rejected.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Ollie J. Bowen	Eugene Gough	Mel Petry
Jas. C. Carter	Ben Grogan	Harry C. Records
V. O. Chandler	J. F. Ladd	Joseph L. Wall
Roscoe Claxon	M. T. McCarthy	Henry Ward
George S. Clay	W. F. McGary	
J. A. Coleman	W. H. Miller	—16

Those who voted in the negative were—

F. T. Allen	Stanley S. Dickson	C. L. Hammons
W. T. Baker	George W. Dunlap	W. L. Hampton, Jr.
Reuben J. Boling	Howard G. Early	Thomas W. Hines
Wallace Brown	Walter R. Fannin	Price Holbrook
Floyd Clark	Chas. P. Farnsley	Clyde S. Howard
Roy Conway	James Garnett, Jr.	John M. Hunnicut
Herbert Cook	G. W. Garrett	Ben W. Johnson
Harry Davis	Ferd A. Gnau	J. H. Jones
Sam Dever	Jas. T. Hamilton	O. C. Jones

R. T. Kirkman	A. W. Pfeiffer	P. L. Sidebottom
T. B. McConnell	J. C. Ramey	Chester D. Silvers
John L. McDermott	Hobart Rayburn	Bruce Sloan
Lloyd MacDonald	L. K. Rice	H. C. Steely
Elmer McGlothen	Wade H. Riley	Henry Stewart
D. T. Matlack	Joe E. Robinson	Dr. H. S. Swope
Duke Mayfield	John C. Robinson	W. R. Tapp
John B. Mollett	W. T. Rollo	J. J. Thomas
W. E. Mull	Carl Scheben	L. R. Wells
J. C. Nickell	Ray O. Shehan	Charles Wylie
Russell O'Neill	Dr. B. F. Shields	—59

Mr. Ward moved that the vote by which said bill was rejected be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the following bill was introduced, viz.:

By Dr. Shields:

H. B. 634. An Act pertaining to the disqualification of Circuit Judges and providing for the removal by the Governor of any judge violating the provisions of this Act.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Whenever any circuit judge or any member of his immediate family is a stockholder in any corporation which is a party to an action or proceeding before him, such ownership of stock shall disqualify said judge from hearing such action or proceeding, and any such judge who tries any action or proceeding with such knowledge of ownership of said stock, shall be subject to removal by the Governor.

All acts or parts of acts in conflict herewith are hereby repealed.

Ordered that said bill be printed and referred to Committee on Rules.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 473. An Act to amend Chapter 112 of the Acts of the General Assembly of one thousand nine hundred and twenty-eight (1928), relating to the pay of officers of election.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Chapter 112 of the Acts of the General Assembly of 1928 be and the same is hereby amended and re-enacted so that when same is so amended and re-enacted it shall read as follows:

Section 1. Pay of Officers.—Officers of election shall receive pay as follows: Judges, $3.00 each; sheriffs, $3.00 each; clerks, $3.00 each; excepting that in counties having cities of the first and second classes the fiscal court may provide for the pay of election officers in said counties not to exceed the following sums: Judges, $5.00 each; sheriffs, $5.00 each; and clerks, $5.00 each. In all elections to fill vacancies, the same fees. For delivering election returns the sheriff and judge, whose duty it is to accompany him, shall also receive eight cents for each mile necessarily traveled from the place of voting to and from the place of delivery. The fiscal court shall, at its regular October term, provide for the payment of all election officers of the ensuing November election, which payment shall be made out of the levy of the year in which the services are rendered, or out of any money in the hands of the treasurer or sheriff not otherwise appropriated.

§ 2. All acts or parts of acts in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen	Price Holbrook	A. W. Pfeiffer
W. T. Baker	John M. Hunnicut	Harry C. Records
Ollie J. Bowen	J. F. Ladd	W. T. Rollo
J. A. Coleman	M. T. McCarthy	Carl Scheben
Roy Conway	John L. McDermott	Dr. B. F. Shields
Stanley S. Dickson	W. F. McGary	P. L. Sidebottom
Chas. P. Farnsley	Elmer McGlothen	Bruce Sloan
T. P. Fitzpatrick	Duke Mayfield	Henry Stewart
James Garnett, Jr.	G. S. Milam	Dr. H. S. Swope
Ferd A. Gnau	W. H. Miller	W. R. Tapp
Eugene Gough	John B. Mollett	J. J. Thomas
Ben Grogan	W. E. Mull	S. J. Wagner
C. L. Hammons	Tyler Munford	Henry Ward
W. L. Hampton, Jr.	Russell O'Neill	L. R. Wells
Thomas W. Hines	Mel Petry	—43

Those who voted in the negative were—

Reuben J. Boling	George S. Clay	Ben W. Johnson
Wallace Brown	Herbert Cook	J. H. Jones
Jas. C. Carter	Howard G. Early	O. C. Jones
V. O. Chandler	Walter R. Fannin	R. T. Kirkman
Floyd Clark	G. W. Garrett	T. B. McConnell
Roscoe Claxon	Clyde S. Howard	Lloyd MacDonald

D. T. Matlack	Wade H. Riley	R. Van Bever, Jr.
J. C. Nickell	John C. Robinson	W. G. Williams
J. C. Ramey	Ray O. Shehan	Charles Wylie
Hobart Rayburn	Chester D. Silvers	
L. K. Rice	H. C. Steely	—32

Resolved that the title thereof be as aforesaid.

Mr. Fitzpatrick moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 513. An Act relating to perversion, an offense against nature, defining the same and prescribing penalties therefor.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That any person who carnally knows in any manner any male or female person by or with the mouth, or who by any means whatever shall cause or induce or procure any other person so to do, shall be guilty of perversion, and upon conviction shall be confined in the penitentiary not less than two nor more than twenty years.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen	C. L. Hammons	Hobart Rayburn
W. T. Baker	W. L. Hampton, Jr.	Harry C. Records
Reuben J. Boling	Thomas W. Hines	L. K. Rice
Ollie J. Bowen	Price Holbrook	Wade H. Riley
Wallace Brown	Clyde S. Howard	Joe E. Robinson
Jas. C. Carter	John M. Hunnicut	John C. Robinson
V. O. Chandler	Ben W. Johnson	W. T. Rollo
Floyd Clark	J. H. Jones	Carl Scheben
Roscoe Claxon	O. C. Jones	Ray O. Shehan
George S. Clay	R. T. Kirkman	Dr. B. F. Shields
J. A. Coleman	J. F. Ladd	P. L. Sidebottom
Roy Conway	M. T. McCarthy	Chester D. Silvers
Herbert Cook	John L. McDermott	Bruce Sloan
Harry Davis	Lloyd MacDonald	H. C. Steely
Sam Dever	W. F. McGary	Henry Stewart
Stanley S. Dickson	Elmer McGlothen	Dr. H. S. Swope
Howard G. Early	D. T. Matlack	W. R. Tapp
Walter R. Fannin	Duke Mayfield	J. J. Thomas
Chas. P. Farnsley	G. S. Milam	R. Van Bever, Jr.
T. P. Fitzpatrick	W. H. Miller	S. J. Wagner
James Garnett, Jr.	John B. Mollett	Joseph L. Wall
G. W. Garrett	W. E. Mull	Henry Ward
Ferd A. Gnau	J. C. Nickell	L. R. Wells
Eugene Gough	Russell O'Neill	W. G. Williams
Ben Grogan	A. W. Pfeiffer	Charles Wylie

—71

Resolved that the title thereof be as aforesaid.

Mr. Gnau moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Dr. Shields of the Committee on Rules, to which the same had been previously referred, reported bills of the following titles, viz.:

S. B. 282. An Act to amend and re-enact Section 4706 of the Kentucky Statutes, relating to the investment of funds by fiduciaries.

S. B. 156. An Act to prohibit distribution, sale or exchange in Kentucky of goods, wares, or merchandise manufactured in whole or in part by convicts or prisoners.

S. B. 184. An Act to amend and re-enact Section 1196, Kentucky Statutes, providing for the punishment for stealing hogs, cattle, goats, sheep or dogs.

S. B. 270. An Act repealing paragraph VIII of Chapter 106 of the Acts of 1932, relating to motor vehicles and speed governors thereon.

S. B. 263. An Act giving the consent of the Commonwealth of Kentucky to the acquisition by the U. S. of lands for national forest reserve.

S. B. 214. An Act to provide for the codification, revision and publication of the Statutes of Kentucky.

S. B. 283. An Act relating to ditches and drains in counties having more than seventy-five separate drainage districts.

S. B. 260. An Act to prohibit false, misleading, or bait advertisement of ocular examination.

S. B. 215. An Act in aid of drainage, levee and reclamation districts, etc.

H. B. 627. An Act to amend and re-enact part of Section 4502, Kentucky Statutes, relating to the granting of elementary certificates.

H. Res. 63. Resolution providing for a Committee to be appointed by the State Board of Education to make a study of Teachers' retirement systems, etc.

S. B. 251. An Act to prevent the spread of Johnson Grass in Kentucky.

S. Res. 39. Resolution authorizing suits to be maintained for the recovery of taxes paid under the provisions of Chapter 149 of the Acts of the General Assembly of 1930.

H. B. 630. An Act relating to Public Roads and Bridges, etc.

H. B. 631. An Act relating to the primary system of roads and highways.

H. B. 632. An Act to repeal Carroll's Kentucky Statutes, 1930 Edition, relating to and fixing the time of holding Courts, etc.

H. B. 633. An Act to re-establish and maintain a separate function of the Legislative, Judicial, and Executive of the State Government, etc.

S. B. 284. An Act amending Section 3 of Article 5, Carroll's Kentucky Statutes, relating to independent school districts.

S. B. 277. An Act relating to application to a Judge of the Court of Appeals.

H. Res. 64. Resolution for payment of bills of Military Department, created during past administration.

H. Res. 65. Resolution for payment of back rentals created during past administration.

H. B. 634. An Act pertaining to the disqualification of circuit Judges and providing for the removal by the Governor of any Judge violating the provisions of this Act.

With the expression of opinion that said bills ought to pass.

Said bills were severally read at length the first time and ordered to be placed on the Calendar.

Mr. Dickson of the Committee on Enrollment reported that they had examined and found to be correctly enrolled, bills of the following titles, viz.:

H. B. 34. An Act pertaining to and fixing the time for hunting rabbits.

H. B. 252. An Act for the conservation of natural gas and preventing its waste.

H. B. 118. An Act regulating and defining the duties of coroners.

Thereupon all other business was suspended, said bills were read at length and compared in open session and found to be correctly enrolled, and thereupon the Speaker in open session and in the presence of the House, affixed his signature thereto.

Ordered that the Enrolling Clerk deliver said bills to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled copies of said bills duly signed by the President of the Senate, into the possession of the Chief Clerk of the House.

Ordered that the Chief Clerk deliver said bills to the Governor.

After a time the Chief Clerk reported that he had discharged that duty.

Dr. Shields moved that the House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

TUESDAY, FEBRUARY 11, 1936.

The House was opened with prayer by the Reverend E. W. Baxter of the Episcopal Church of Frankfort, Kentucky.

The roll was called and the following members answered to their names, viz.:

F. T. Allen	V. O. Chandler	Walter R. Fannin
C. W. Anderson, Jr.	Floyd Clark	Chas. P. Farnsley
H. T. Baker	George S. Clay	T. P. Fitzpatrick
W. T. Baker	J. A. Coleman	H. Myer Garner
G. M. Ballard	Roy Conway	James Garnett, Jr.
B. F. Bedford	Herbert Cook	G. W. Garrett
Reuben J. Boling	Harry Davis	Ferd A. Gnau
Ollie J. Bowen	Sam Dever	Eugene Gough
Wallace Brown	Stanley S. Dickson	Ben Grogan
Dr. R. A. Byers	George W. Dunlap	Jas. T. Hamilton
Jas. C. Carter	Howard G. Early	C. L. Hammons

W. L. Hampton, Jr.	C. S. Matherly	W. T. Rollo
Thomas W. Hines	D. T. Matlack	Carl Scheben
Price Holbrook	Duke Mayfield	Carl Schneider
Clyde S. Howard	G. S. Milam	Ray O. Shehan
Ira W. Hulette	W. H. Miller	Dr. B. F. Shields
John M. Hunnicut	John B. Mollett	P. L. Sidebottom
Ben W. Johnson	W. E. Mull	Chester D. Silvers
J. H. Jones	Tyler Munford	Bruce Sloan
O. C. Jones	Rodes K. Myers	H. C. Steely
R. T. Kirkman	J. C. Nickell	Henry Stewart
J. F. Ladd	Russell O'Neill	Dr. H. S. Swope
Leslie Larrimore	Mel Petry	W. R. Tapp
Robert E. Lee	A. W. Pfeiffer	J. J. Thomas
M. T. McCarthy	J. C. Ramey	R. Van Bever, Jr.
T. B. McConnell	Hobart Rayburn	S. J. Wagner
John L. McDermott	Harry C. Records	Joseph L. Wall
Lloyd MacDonald	L. K. Rice	Henry Ward
W. F. McGary	Wade H. Riley	L. R. Wells
Elmer McGlothen	Joe E. Robinson	W. G. Williams
John Marshall	John C. Robinson	Charles Wylie

Mr. Davis moved that the reading of the Journal of yesterday's proceedings be dispensed with.

Said motion was agreed to.

Mr. Davis moved that the session of today be extended indefinitely.

Said motion was agreed to.

Mr. Cook moved that the Rules of this House be suspended and that a bill entitled:

H. B. 141. An Act to provide for the stabilization of the milk industry in the State of Kentucky, etc.

Be taken from the Committee on Rules for the purpose of immediate consideration.

Mr. Gnau moved that the motion as made by Mr. Cook be laid on the table.

Said motion was agreed to.

The yeas and nays being required thereon by Messrs. Gnau and Farnsley, were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Ira W. Hulette	Wade H. Riley
W. T. Baker	Ben W. Johnson	Joe E. Robinson
B. F. Bedford	J. H. Jones	John C. Robinson
Wallace Brown	O. C. Jones	W. T. Rollo
Dr. R. A. Byers	R. T. Kirkman	A. W. Ross
George S. Clay	J. F. Ladd	Carl Scheben
J. A. Coleman	T. B. McConnell	Dr. B. F. Shields
Harry Davis	Elmer McGlothen	P. L. Sidebottom
Sam Dever	John Marshall	Chester D. Silvers
Howard G. Early	Duke Mayfield	Henry Stewart
Chas. P. Farnsley	John B. Mollett	Dr. H. S. Swope
Ferd A. Gnau	W. E. Mull	W. R. Tapp
Eugene Gough	Mel Petry	J. J. Thomas
Ben Grogan	A. W. Pfeiffer	Joseph L. Wall
Jas. T. Hamilton	J. C. Ramey	Henry Ward
W. L. Hampton, Jr.	L. K. Rice	

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Those who voted in the negative were—

F. T. Allen	George W. Dunlap	Lloyd MacDonald
C. W. Anderson, Jr.	Walter R. Fannin	W. F. McGary
G. M. Ballard	H. Myer Garner	C. S. Matherly
Reuben J. Boling	James Garnett, Jr.	W. H. Miller
Ollie J. Bowen	G. W. Garrett	Tyler Munford
Jas. C. Carter	C. L. Hammons	Rodes K. Myers
V. O. Chandler	Thomas W. Hines	J. C. Nickell
Floyd Clark	Price Holbrook	Russell O'Neill
Roy Conway	Clyde S. Howard	Hobart Rayburn
Herbert Cook	John M. Hunnicut	Ray O. Shehan
Stanley S. Dickson	J. L. McDermott	H. C. Steely

R. Van Bever, Jr. L. R. Wells W. G. Williams
S. J. Wagner —37

Mr. Gnau moved that the consideration of said bill be postponed indefinitely.

Said motion was agreed to.

Mr. Steely moved that the Rules of this House be suspended and that a bill entitled:

H. B. 232. An Act relating to revenue and taxation, pertaining to the tax on gasoline.

Be taken from the Committee on Rules, for the purpose of immediate consideration.

Said motion was disagreed to.

Dr. Shields moved that the Rules be suspended and that the House proceed to the consideration of the Orders of the Day.

Said motion was agreed to.

Dr. Shields moved that the debate on all bills be limited to ten minutes for the proponents and ten minutes for the opponents.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Calendar, bills of the following titles, viz.:

S. B. 282. An Act to amend and re-enact Section 4706 of the Kentucky Statutes, relating to the investment of funds by fiduciaries.

S. B. 156. An Act to prohibit distribution, sale or exchange in Kentucky of goods, wares, or merchandise manufactured in whole or in part by convicts or prisoners.

S. B. 184. An Act to amend and re-enact Section 1196, Kentucky Statutes, providing for the punishment for stealing of hogs, cattle, goats, sheep or dogs.

S. B. 270. An Act repealing Paragraph VIII of Chapter 106 of the Acts of 1932 relating to motor vehicles and speed governors thereon.

S. B. 263. An Act giving the consent of the Commonwealth of Kentucky to the acquisition by the U. S. of lands for national forest reserve.

S. B. 214. An Act to provide for the codification, revision and publication of the Statutes of Kentucky.

S. B. 283. An Act relating to ditches and drains in counties having more than seventy-five separate drainage districts.

S. B. 260. An Act to prohibit false, misleading, or bait advertisement of ocular examination.

S. B. 215. An Act in aid of drainage, levee and reclamation districts, etc.

H. B. 627. An Act to amend and re-enact part of Section 4502, Kentucky Statutes, relating to the granting of elementary certificates.

H. Res. 63. Resolution providing for a Committee to be appointed by the State Board of Education to make a study of Teachers' retirement systems, etc.

S. B. 251. An Act to prevent the spread of Johnson Grass in Kentucky.

S. Res. 39. Resolution authorizing suits to be maintained for the recovery of taxes paid under the provisions of Chapter 149 of the Acts of the General Assembly of 1930.

H. B. 630. An Act relating to Public Roads and Bridges, etc.

H. B. 631. An Act relating to the primary system of roads and highways.

H. B. 632. An Act to repeal Carroll's Kentucky Statutes, 1930 Edition, relating to and fixing the time of holding Courts, etc.

H. B. 633. An Act to reestablish and maintain a separate function of the Legislative, Judicial, and Executive of the State Government, etc.

S. B. 284. An Act amending Section 3 of Article 5, Carroll's Kentucky Statutes, relating to independent school districts.

S. B. 277. An Act relating to application to a Judge of the Court of Appeals.

H. Res. 64. Resolution for payment of bills of Military Department, created during past administration.

H. Res. 65. Resolution for payment of back rentals created during past administration.

H. B. 634. An Act pertaining to the disqualification of circuit Judges and providing for the removal by the Governor of any Judge violating the provisions of this Act.

Ordered that said bills be read the second time.

The Constitutional provision as to the second reading of said bills at length being dispensed with, said bills were read the second time by their titles only.

Ordered that said bills be placed in the Orders of the Day.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 580. An Act establishing as a part of the primary road system of the Commonwealth a road in Todd and Christian counties.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is hereby established as a part of the primary system of public roads of this Commonwealth, a road leaving Highway No. 181 about one-half mile north of Kirkmansville; thence following the old county road as near as practical known as the Out Let road crossing the river near the Utley farm and recrossing at Johnson's Mill; thence via Gum Grove church in Christian County to a point in the Hopkinsville and Kirkmansville road.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	C. L. Hammons	Russell O'Neill
C. W. Anderson, Jr.	W. L. Hampton, Jr.	Mel Petry
H. T. Baker	Thomas W. Hines	A. W. Pfeiffer
W. T. Baker	Price Holbrook	J. C. Ramey
G. M. Ballard	Clyde S. Howard	Hobart Rayburn
B. F. Bedford	Ira W. Hulette	L. K. Rice
Reuben J. Boling	John M. Hunnicut	Wade H. Riley
Ollie J. Bowen	Ben W. Johnson	Joe E. Robinson
Wallace Brown	J. H. Jones	John C. Robinson
Dr. R. A. Byers	O. C. Jones	W. T. Rollo
Jas. C. Carter	R. T. Kirkman	A. W. Ross
V. O. Chandler	J. F. Ladd	Carl Scheben
Floyd Clark	Robert E. Lee	Carl Schneider
Roscoe Claxon	M. T. McCarthy	Ray O. Shehan
George S. Clay	T. B. McConnell	Dr. B. F. Shields
J. A. Coleman	John L. McDermott	Chester D. Silvers
Roy Conway	Lloyd MacDonald	Bruce Sloan
Herbert Cook	W. F. McGary	H. C. Steely
Harry Davis	Elmer McGlothen	Dr. H. S. Swope
Sam Dever	John Marshall	W. R. Tapp
Stanley S. Dickson	Duke Mayfield	J. J. Thomas
George W. Dunlap	G. S. Milam	R. Van Bever, Jr.
Walter R. Fannin	W. H. Miller	Joseph L. Wall
James Garnett, Jr.	John B. Mollett	Henry Ward
G. W. Garrett	W. E. Mull	L. R. Wells
Ferd A. Gnau	Tyler Munford	W. G. Williams
Eugene Gough	Rodes K. Myers	Charles Wylie
Ben Grogan	J. C. Nickell	—83

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 581. An Act creating and establishing as a part of the primary system of highways of the Commonwealth of Kentucky, a road from Highway No. 90 at Cook's farm to Wayne County line via Central Union Church, Byer's Store and Duvall Valley, in Clinton County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State Highways of the Commonwealth of Kentucky a road from Highway No. 90 at Cook's farm to Wayne County line via Central Union Church, Byer's Store and Duvall Valley in Clinton County, Kentucky.

§ 2. This road thus established to be entitled to receive all benefits of such laws as are now or may hereafter be in effect relating to the primary system of roads and highways in the Commonwealth of Kentucky.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Ollie J. Bowen	George S. Clay
C. W. Anderson, Jr.	Wallace Brown	J. A. Coleman
H. T. Baker	Dr. R. A. Byers	Roy Conway
W. T. Baker	Jas. C. Carter	Herbert Cook
G. M. Ballard	V. O. Chandler	Harry Davis
B. F. Bedford	Floyd Clark	Sam Dever
Reuben J. Boling	Roscoe Claxon	Stanley S. Dickson

George W. Dunlap	T. B. McConnell	Joe E. Robinson
Walter R. Fannin	John L. McDermott	John C. Robinson
James Garnett, Jr	Lloyd MacDonald	W. T. Rollo
G. W. Garrett	W. F. McGary	A. W. Ross
Ferd A. Gnau	Elmer McGlothen	Carl Scheben
Eugene Gough	John Marshall	Carl Schneider
Ben Grogan	Duke Mayfield	Ray O. Shehan
C. L. Hammons	G. S. Milam	Dr. B. F. Shields
W. L. Hampton, Jr.	W. H. Miller	Chester D. Silvers
Thomas W. Hines	John B. Mollett	Bruce Sloan
Price Holbrook	W. E. Mull	H. C. Steely
Clyde S. Howard	Tyler Munford	Dr. H. S. Swope
Ira W. Hulette	Rodes K. Myers	W. R. Tapp
John M. Hunnicut	J. C. Nickell	J. J. Thomas
Ben W. Johnson	Russell O'Neill	R. Van Bever, Jr.
J. H. Jones	Mel Petry	Joseph L. Wall
O. C. Jones	A. W. Pfeiffer	Henry Ward
R. T. Kirkman	J. C. Ramey	L. R. Wells
J. F. Ladd	Hobart Rayburn	W. G. Williams
Robert E. Lee	L. K. Rice	Charles Wylie
M. T. McCarthy	Wade H. Riley	—83

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 582. An Act establishing as part of the system of State Highways a road known as the New Salem Road in Barren County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State highways of the Commonwealth of Kentucky a road in Barren County known as the New Salem road, said road starting at its intersection with the Glasgow-Edmonton road, State Highway No. 80, about three-quarters of a mile east of Glasgow, and continuing as with its present route to Kino.

§ 2. That the construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920, and all other laws pertaining thereto establishing and creating the primary system of State Highways, to the same effect as if said road had been named in the original Act as one of the projects of the primary system of State Highways as provided therein.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Jas. C. Carter	Stanley S. Dickson
C. W. Anderson, Jr.	V. O. Chandler	George W. Dunlap
H. T. Baker	Floyd Clark	Walter R. Fannin
W. T. Baker	Roscoe Claxon	James Garnett, Jr.
G. M. Ballard	George S. Clay	G. W. Garrett
B. F. Bedford	J. A. Coleman	Ferd A. Gnau
Reuben J. Boling	Roy Conway	Eugene Gough
Ollie J. Bowen	Herbert Cook	Ben Grogan
Wallace Brown	Harry Davis	C. L. Hammons
Dr. R. A. Byers	Sam Dever	W. L. Hampton, Jr.

Thomas W. Hines	Duke Mayfield	A. W. Ross
Price Holbrook	G. S. Milam	Carl Scheben
Clyde S. Howard	W. H. Miller	Carl Schneider
Ira W. Hulette	John B. Mollett	Ray O. Shehan
John M. Hunnicut	W. E. Mull	Dr. B. F. Shields
Ben W. Johnson	Tyler Munford	Chester D. Silvers
J. H. Jones	Rodes K. Myers	Bruce Sloan
O. C. Jones	J. C. Nickell	H. C. Steely
R. T. Kirkman	Russell O'Neill	Dr. H. S. Swope
J. F. Ladd	Mel Petry	W. R. Tapp
Robert E. Lee	A. W. Pfeiffer	J. J. Thomas
M. T. McCarthy	J. C. Ramey	R. Van Bever, Jr.
T. B. McConnell	Hobart Rayburn	Joseph L. Wall
John L. McDermott	L. K. Rice	Henry Ward
Lloyd MacDonald	Wade H. Riley	L. R. Wells
W. F. McGary	Joe E. Robinson	W. G. Williams
Elmer McGlothen	John C. Robinson	Charles Wylie
John Marshall	W. T. Rollo	—83

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 583. An Act establishing as part of the system of State Highways a road known as the Savoyard road in Barren and Metcalfe counties.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State highways of the Commonwealth of

Kentucky a road in Barren and Metcalfe counties known as the Savoyard road, said road starting at its junction with the Hiseville-Sulphur Well road and continuing to Savoyard and thence to Center via the most convenient and practical manner with respect to its present route.

§ 2. That the construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920, and all other laws pertaining thereto, establishing and creating the primary system of State Highways, to the same effect as if said road had been named in the original Act as one of the projects of the primary system of State highways as provided therein.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Floyd Clark	G. W. Garrett
C. W. Anderson, Jr.	Roscoe Claxon	Ferd A. Gnau
H. T. Baker	George S. Clay	Eugene Gough
W. T. Baker	J. A. Coleman	Ben Grogan
G. M. Ballard	Roy Conway	C. L. Hammons
B. F. Bedford	Herbert Cook	W. L. Hampton, Jr.
Reuben J. Boling	Harry Davis	Thomas W. Hines
Ollie J. Bowen	Sam Dever	Price Holbrook
Wallace Brown	Stanley S. Dickson	Clyde S. Howard
Dr. R. A. Byers	George W. Dunlap	Ira W. Hulette
Jas. C. Carter	Walter R. Fannin	John M. Hunnicut
V. O. Chandler	James Garnett, Jr.	Ben W. Johnson

J. H. Jones	W. E. Mull	Carl Schneider
O. C. Jones	Tyler Munford	Ray O. Shehan
R. T. Kirkman	Rodes K. Myers	Dr. B. F. Shields
J. F. Ladd	J. C. Nickell	Chester D. Silvers
Robert E. Lee	Russell O'Neill	Bruce Sloan
M. T. McCarthy	Mel Petry	H. C. Steely
T. B. McConnell	A. W. Pfeiffer	Dr. H. S. Swope
John L. McDermott	J. C. Ramey	W. R. Tapp
Lloyd MacDonald	Hobart Rayburn	J. J. Thomas
W. F. McGary	L. K. Rice	R. Van Bever, Jr.
Elmer McGlothen	Wade H. Riley	Joseph L. Wall
John Marshall	Joe E. Robinson	Henry Ward
Duke Mayfield	John C. Robinson	L. R. Wells
G. S. Milam	W. T. Rollo	W. G. Williams
W. H. Miller	A. W. Ross	Charles Wylie
John B. Mollett	Carl Scheben	—83

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 584. An Act establishing as part of the system of State highways a road known as the Cavalry Road in Barren County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State highways of the Commonwealth of Kentucky a road in Barren County known as the Cavalry Road, said road starting at junction of present roadway on

U. S. 31E leading to, and through, the State Military Property known as "Cavalry Field" and proceeding alongside the Municipal Airport thence to a junction with the old Bowling Green road by the most convenient and practical route.

§ 2. That the construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920 and all other laws pertaining thereto establishing and creating the primary system of State highways, to the same effect as if said road had been named in the original Act as one of the projects of the primary system of State highways as provided therein.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Roscoe Claxon	Eugene Gough
C. W. Anderson, Jr.	George S. Clay	Ben Grogan
H. T. Baker	J. A. Coleman	C. L. Hammons
W. T. Baker	Roy Conway	W. L. Hampton, Jr.
G. M. Ballard	Herbert Cook	Thomas W. Hines
B. F. Bedford	Harry Davis	Price Holbrook
Reuben J. Boling	Sam Dever	Clyde S. Howard
Ollie J. Bowen	Stanley S. Dickson	Ira W. Hulette
Wallace Brown	George W. Dunlap	John M. Hunnicut
Dr. R. A. Byers	Walter R. Fannin	Ben W. Johnson
Jas. C. Carter	James Garnett, Jr.	J. H. Jones
V. O. Chandler	G. W. Garrett	O. C. Jones
Floyd Clark	Ferd A. Gnau	R. T. Kirkman

J. F. Ladd	Rodes K. Myers	Ray O. Shehan
Robert E. Lee	J. C. Nickell	Dr. B. F. Shields
M. T. McCarthy	Russell O'Neill	Chester D. Silvers
T. B. McConnell	Mel Petry	Bruce Sloan
John L. McDermott	A. W. Pfeiffer	H. C. Steely
Lloyd MacDonald	J. C. Ramey	Dr. H. S. Swope
W. F. McGary	Hobart Rayburn	W. R. Tapp
Elmer McGlothen	L. K. Rice	J. J. Thomas
John Marshall	Wade H. Riley	R. Van Bever, Jr.
Duke Mayfield	Joe E. Robinson	Joseph L. Wall
G. S. Milam	John C. Robinson	Henry Ward
W. H. Miller	W. T. Rollo	L. R. Wells
John B. Mollett	A. W. Ross	W. G. Williams
W. E. Mull	Carl Scheben	Charles Wylie
Tyler Munford	Carl Schneider	—83

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 585. An Act establishing as part of the system of State Highways a road known as the Burnside-Antioch-Tateville road in Pulaski County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State highways of the Commonwealth of Kentucky a road in Pulaski County known as the Burnside-Antioch-Tateville road, said road starting at intersection im-

mediately south of the Burnside City Hall and continuing via present established route past Southern Railway Station, Christian Church, thence east at Baptist Church corner two blocks to street alongside Burnside Cemetery, and continuing via present route to, and past, Antioch school and church, thence by most practical route to point adjacent farm of W. F. Beaty, thence by most convenient and practical route to junction with U. S. 27 at Tateville.

§ 2. That the construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920 and all other laws pertaining thereto establishing and creating the primary system of State highways, to the same effect as if said road had been named in the original Act as one of the projects of the primary system of State highways as provided therein.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Dr. R. A. Byers	Harry Davis
C. W. Anderson, Jr.	Jas. C. Carter	Sam Dever
H. T. Baker	V. O. Chandler	Stanley S. Dickson
W. T. Baker	Floyd Clark	George W. Dunlap
G. M. Ballard	Roscoe Claxon	Walter R. Fannin
B. F. Bedford	George S. Clay	James Garnett, Jr.
Reuben J. Boling	J. A. Coleman	G. W. Garrett
Ollie J. Bowen	Roy Conway	Ferd A. Gnau
Wallace Brown	Herbert Cook	Eugene Gough

Ben Grogan	Elmer McGlothen	W. T. Rollo
C. L. Hammons	John Marshall	A. W. Ross
W. L. Hampton, Jr.	Duke Mayfield	Carl Scheben
Thomas W. Hines	G. S. Milam	Carl Schneider
Price Holbrook	W. H. Miller	Ray O. Shehan
Clyde S. Howard	John B. Mollett	Dr. B. F. Shields
Ira W. Hulette	W. E. Mull	Chester D. Silvers
John M. Hunnicut	Tyler Munford	Bruce Sloan
Ben W. Johnson	Rodes K. Myers	H. C. Steely
J. H. Jones	J. C. Nickell	Dr. H. S. Swope
O. C. Jones	Russell O'Neill	W. R. Tapp
R. T. Kirkman	Mel Petry	J J. Thomas
J. F. Ladd	A. W. Pfeiffer	R. Van Bever, Jr.
Robert E. Lee	J. C. Ramey	Joseph L. Wall
M. T. McCarthy	Hobart Rayburn	Henry Ward
T. B. McConnell	L. K. Rice	L. R. Wells
John L. McDermott	Wade H. Riley	W. G. Williams
Lloyd MacDonald	Joe E. Robinson	Charles Wylie
W. F. McGary	John C. Robinson	—83

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 586. An Act establishing as a part of the system of State highways a road known as the Three Springs-Hiseville road in Barren County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the

primary system of State highways of the Commonwealth of Kentucky a road in Barren County known as the Three Springs-Hiseville Road, said road starting at the Barren-Hart County line, near Three Springs, and continuing along its present route, via Park, to Hiseville.

§ 2. That the construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920 and all other laws pertaining thereto establishing and creating the primary system of State Highways, to the same effect as if said road had been named in the original Act as one of the projects of the primary system of State Highways as provided therein.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Floyd Clark	G. W. Garrett
C. W. Anderson, Jr.	Roscoe Claxon	Ferd A. Gnau
H. T. Baker	George S. Clay	Eugene Gough
W. T. Baker	J. A. Coleman	Ben Grogan
G. M. Ballard	Roy Conway	C. L. Hammons
B. F. Bedford	Herbert Cook	W. L. Hampton, Jr.
Reuben J. Boling	Harry Davis	Thomas W. Hines
Ollie J. Bowen	Sam Dever	Price Holbrook
Wallace Brown	Stanley S. Dickson	Clyde S. Howard
Dr. R. A. Byers	George W. Dunlap	Ira W. Hulette
Jas. C. Carter	Walter R. Fannin	John M. Hunnicut
V. O. Chandler	James Garnett, Jr.	Ben W. Johnson

J. H. Jones	W. E. Mull	Carl Schneider
O. C. Jones	Tyler Munford	Ray O. Shehan
R. T. Kirkman	Rodes K. Myers	Dr. B. F. Shields
J. F. Ladd	J. C. Nickell	Chester D. Silvers
Robert E. Lee	Russell O'Neill	Bruce Sloan
M. T. McCarthy	Mel Petry	H. C. Steely
T. B. McConnell	A. W. Pfeiffer	Dr. H. S. Swope
John L. McDermott	J. C. Ramey	W. R. Tapp
Lloyd MacDonald	Hobart Rayburn	J. J. Thomas
W. F. McGary	L. K. Rice	R. Van Bever, Jr.
Elmer McGlothen	Wade H. Riley	Joseph L. Wall
John Marshall	Joe E. Robinson	Henry Ward
Duke Mayfield	John C. Robinson	L. R. Wells
G. S. Milam	W. T. Rollo	W. G. Williams
W. H. Miller	A. W. Ross	Charles Wylie
John B. Mollett	Carl Scheben	—83

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 587. An Act establishing as part of the system of State Highways a road known as the Dugantown Road in Barren County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State highways of the Commonwealth of Kentucky a road in Barren County known as the Dugantown Road, said road starting at its intersection with the Glasgow-

Edmonton Road, on State Highway No. 80, about two miles east of Glasgow, and continuing along its present route to its junction with the Coral Hill road, near the Coral Hill school.

§ 2. That the construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920, and all other laws pertaining thereto establishing and creating the primary system of State highways, to the same effect as if said road had been named in the original Act as one of the projects of the primary system of State highways as provided therein.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	George S. Clay	C. L. Hammons
C. W. Anderson, Jr.	J. A. Coleman	W. L. Hampton, Jr.
H. T. Baker	Roy Conway	Thomas W. Hines
W. T. Baker	Herbert Cook	Price Holbrook
G. M. Ballard	Harry Davis	Clyde S. Howard
B. F. Bedford	Sam Dever	Ira W. Hulette
Reuben J. Boling	Stanley S. Dickson	John M. Hunnicut
Ollie J. Bowen	George W. Dunlap	Ben W. Johnson
Wallace Brown	Walter R. Fannin	J. H. Jones
Dr. R. A. Byers	James Garnett, Jr.	O. C. Jones
Jas. C. Carter	G. W. Garrett	R. T. Kirkman
V. O. Chandler	Ferd A. Gnau	J. F. Ladd
Floyd Clark	Eugene Gough	Robert E. Lee
Roscoe Claxon	Ben Grogan	M. T. McCarthy

T. B. McConnell	Russell O'Neill	Dr. B. F. Shields
John L. McDermott	Mel Petry	Chester D. Silvers
Lloyd MacDonald	A. W. Pfeiffer	Bruce Sloan
W. F. McGary	J. C. Ramey	H. C. Steely
Elmer McGlothen	Hobart Rayburn	Dr. H. S. Swope
John Marshall	L. K. Rice	W. R. Tapp
Duke Mayfield	Wade H. Riley	J. J. Thomas
G. S. Milam	Joe E. Robinson	R. Van Bever, Jr.
W. H. Miller	John C. Robinson	Joseph L. Wall
John B. Mollett	W. T. Rollo	Henry Ward
W. E. Mull	A. W. Ross	L. R. Wells
Tyler Munford	Carl Scheben	W. G. Williams
Rodes K. Myers	Carl Schneider	Charles Wylie
J. C. Nickell	Ray O. Shehan	--83

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 588. An Act establishing as part of the system of State highways a road known as the Coral Hill road in Barren County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State highways of the Commonwealth of Kentucky a road in Barren County known as the Coral Hill road, said road starting at its intersection with U. S. Highway 31E at Foster's Store, about four miles north of Glas-

gow, and continuing along its present route via Coral Hill school, via Pleasant Union school, via Bradley's Store, etc., to its intersection with the Hiseville-Sulphur Well road at its present point near Halfway.

§ 2. That the construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920, and all other laws pertaining thereto establishing and creating the primary system of State highways, to the same effect as if said road had been named in the original Act as one of the projects of the primary system of State highways as provided therein.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Roscoe Claxon	Eugene Gough
C. W. Anderson, Jr.	George S. Clay	Ben Grogan
H. T. Baker	J. A. Coleman	C. L. Hammons
W. T. Baker	Roy Conway	W. L. Hampton, Jr.
G. M. Ballard	Herbert Cook	Thomas W. Hines
B. F. Bedford	Harry Davis	Price Holbrook
Reuben J. Boling	Sam Dever	Clyde S. Howard
Ollie J. Bowen	Stanley S. Dickson	Ira W. Hulette
Wallace Brown	George W. Dunlap	John M. Hunnicut
Dr. R. A. Byers	Walter R. Fannin	Ben W. Johnson
Jas. C. Carter	James Garnett, Jr.	J. H. Jones
V. O. Chandler	G. W. Garrett	O. C. Jones
Floyd Clark	Ferd A. Gnau	R. T. Kirkman

J. F. Ladd	Rodes K. Myers	Ray O. Shehan
Robert E. Lee	J. C. Nickell	Dr. B. F. Shields
M. T. McCarthy	Russell O'Neill	Chester D. Silvers
T. B. McConnell	Mel Petry	Bruce Sloan
John L. McDermott	A. W. Pfeiffer	H. C. Steely
Lloyd MacDonald	J. C. Ramey	Dr. H. S. Swope
W. F. McGary	Hobart Rayburn	W. R. Tapp
Elmer McGlothen	L. K. Rice	J. J. Thomas
John Marshall	Wade H. Riley	R. Van Bever, Jr.
Duke Mayfield	Joe E. Robinson	Joseph L. Wall
G. S. Milam	John C. Robinson	Henry Ward
W. H. Miller	W. T. Rollo	L. R. Wells
John B. Mollett	A. W. Ross	W. G. Williams
W. E. Mull	Carl Scheben	Charles Wylie
Tyler Munford	Carl Schneider	—83

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 589. An Act establishing as part of the system of State highways a road known as the Kino Road in Barren County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State Highways of the Commonwealth of Kentucky a road in Barren County known as the Kino Road, said road starting at its intersection with the Glasgow-

Burkesville road, on State Highway No. 90, at Wilkerson's Store about 3½ miles from Glasgow, and continuing along its present route to Kino, and thence to Randolph.

§ 2. That the construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920, and all other laws pertaining thereto establishing and creating the primary system of State highways, to the same effect as if said road had been named in original Act as one of the projects of the primary system of State highways as provided therein.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	George S. Clay	C. L. Hammons
C. W. Anderson, Jr.	J. A. Coleman	W. L. Hampton, Jr.
H. T. Baker	Roy Conway	Thomas W. Hines
W. T. Baker	Herbert Cook	Price Holbrook
G. M. Ballard	Harry Davis	Clyde S. Howard
B. F. Bedford	Sam Dever	Ira W. Hulette
Reuben J. Boling	Stanley S. Dickson	John M. Hunnicut
Douglas Bolling	George W. Dunlap	Ben W. Johnson
Wallace Brown	Walter R. Fannin	J. H. Jones
Dr. R. A. Byers	James Garnett, Jr.	O. C. Jones
Jas. C. Carter	G. W. Garrett	R. T. Kirkman
V. O. Chandler	Ferd A. Gnau	J. F. Ladd
Floyd Clark	Eugene Gough	Leslie Larrimore
Roscoe Claxon	Ben Grogan	Robert E. Lee

M. T. McCarthy	J. C. Nickell	Ray O. Shehan
T. B. McConnell	Russell O'Neill	P. L. Sidebottom
John L. McDermott	Mel Petry	Chester D. Silvers
Lloyd MacDonald	A. W. Pfeiffer	Bruce Sloan
W. F. McGary	J. C. Ramey	H. C. Steely
Elmer McGlothen	Hobart Rayburn	Dr. H. S. Swope
John Marshall	L. K. Rice	W. R. Tapp
Duke Mayfield	Wade H. Riley	J. J. Thomas
G. S. Milam	Joe E. Robinson	R. Van Bever, Jr.
W. H. Miller	John C. Robinson	Joseph L. Wall
John B. Mollett	W. T. Rollo	Henry Ward
W. E. Mull	A. W. Ross	L. R. Wells
Tyler Munford	Carl Scheben	W. G. Williams
Rodes K. Myers	Carl Schneider	Charles Wylie

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Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 590. An Act to add to the primary road system, the road leading from Russell Springs to Creelsboro in Russell County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there be added to the primary road system, the road leading from Russell Springs to Creelsboro in Russell County.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	C. L. Hammons	Russell O'Neill
C. W. Anderson, Jr.	W. L. Hampton, Jr.	Mel Petry
H. T. Baker	Thomas W. Hines	A. W. Pfeiffer
W. T. Baker	Price Holbrook	J. C. Ramey
G. M. Ballard	Clyde S. Howard	Hobart Rayburn
B. F. Bedford	Ira W. Hulette	L. K. Rice
Reuben J. Boling	John M. Hunnicut	Wade H. Riley
Ollie J. Bowen	Ben W. Johnson	Joe E. Robinson
Wallace Brown	J. H. Jones	John C. Robinson
Dr. R. A. Byers	O. C. Jones	W. T. Rollo
Jas. C. Carter	R. T. Kirkman	A. W. Ross
V. O. Chandler	J. F. Ladd	Carl Scheben
Floyd Clark	Robert E. Lee	Carl Schneider
Roscoe Claxon	M. T. McCarthy	Ray O. Shehan
George S. Clay	T. B. McConnell	Dr. B. F. Shields
J. A. Coleman	John L. McDermott	Chester D. Silvers
Roy Conway	Lloyd MacDonald	Bruce Sloan
Herbert Cook	W. F. McGary	H. C. Steely
Harry Davis	Elmer McGlothen	Dr. H. S. Swope
Sam Dever	John Marshall	W. R. Tapp
Stanley S. Dickson	Duke Mayfield	J. J. Thomas
George W. Dunlap	G. S. Milam	R. Van Bever, Jr.
Walter R. Fannin	W. H. Miller	Joseph L. Wall
James Garnett, Jr.	John B. Mollett	Henry Ward
G. W. Garrett	W. E. Mull	L. R. Wells
Ferd A. Gnau	Tyler Munford	W. G. Williams
Eugene Gough	Rodes K. Myers	Charles Wylie
Ben Grogan	J. C. Nickell	

—83

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 591. An Act creating and establishing as a part of the primary system of highways of the Commonwealth of Kentucky, a road from the Marion and Shady Grove Road at or near Tribune, Kentucky, running southeast to the Sam Leneave's Iron Bridge via Blackburn Church and Odessa School House; thence in a southeasternly direction intersecting the Princeton and Shady Grove Road at or near Creswell, Kentucky, in Caldwell County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State highways of the Commonwealth of Kentucky, a road from the Marion and Shady Grove Road at or near Tribune, Kentucky, running southeast to the Sam-Leneave's Iron Bridge via Blackburn Church and Odessa School House; thence in a southeasterly direction intersecting the Princeton and Shady Grove Road at or near Creswell, Kentucky, in Caldwell County.

§ 2. This road thus established to be entitled to receive all benefits of such laws as are now or may hereafter be in effect relating to the primary system of roads and highways in the Commonwealth of Kentucky.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	C. L. Hammons	Russell O'Neill
C. W. Anderson, Jr.	W. L. Hampton, Jr.	Mel Petry
H. T. Baker	Thomas W. Hines	A. W. Pfeiffer
W. T. Baker	Price Holbrook	J. C. Ramey
G. M. Ballard	Clyde S. Howard	Hobart Rayburn
B. F. Bedford	Ira W. Hulette	L. K. Rice
Reuben J. Boling	John M. Hunnicut	Wade H. Riley
Ollie J. Bowen	Ben W. Johnson	Joe E. Robinson
Wallace Brown	J. H. Jones	John C. Robinson
Dr. R. A. Byers	O. C. Jones	W. T. Rollo
Jas. C. Carter	R. T. Kirkman	A. W. Ross
V. O. Chandler	J. F. Ladd	Carl Scheben
Floyd Clark	Robert E. Lee	Carl Schneider
Roscoe Claxon	M. T. McCarthy	Ray O. Shehan
George S. Clay	T. B. McConnell	Dr. B. F. Shields
J. A. Coleman	John L. McDermott	Chester D. Silvers
Roy Conway	Lloyd MacDonald	Bruce Sloan
Herbert Cook	W. F. McGary	H. C. Steely
Harry Davis	Elmer McGlothen	Dr. H. S. Swope
Sam Dever	John Marshall	W. R. Tapp
Stanley S. Dickson	Duke Mayfield	J. J. Thomas
George W. Dunlap	G. S. Milam	R. Van Bever, Jr.
Walter R. Fannin	W. H. Miller	Joseph L. Wall
James Garnett, Jr.	John B. Mollett	Henry Ward
G. W. Garrett	W. E. Mull	L. R. Wells
Ferd A. Gnau	Tyler Munford	W. G. Williams
Eugene Gough	Rodes K. Myers	Charles Wylie
Ben Grogan	J. C. Nickell	

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Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 599. An Act establishing as a part of the primary road system a road extending from the intersection of same with the Monticello-Parnell Road on top of Collet's Hill, by way of Eadsville, to Lock No. 21 on Cumberland River, in Wayne County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is hereby established as a part of the primary road system in Wayne County, Kentucky, a road leading from the intersection of same with the Monticello-Parnell Road on top of Collet's Hill, by way of Eadsville, to Lock No. 21 on Cumberland River.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen C. W. Anderson, Jr. H. T. Baker

W. T. Baker	Thomas W. Hines	Russell O'Neill
G. M. Ballard	Price Holbrook	Mel Petry
B. F. Bedford	Clyde S. Howard	A. W. Pfeiffer
Reuben J. Boling	Ira W. Hulette	J. C. Ramey
Douglas Bolling	John M. Hunnicut	Hobart Rayburn
Wallace Brown	Ben W. Johnson	L. K. Rice
Dr. R. A. Byers	J. H. Jones	Wade H. Riley
Jas. C. Carter	O. C. Jones	Joe E. Robinson
V. O. Chandler	R. T. Kirkman	John C. Robinson
Floyd Clark	J. F. Ladd	W. T. Rollo
Roscoe Claxon	Leslie Larrimore	A. W. Ross
George S. Clay	Robert E. Lee	Carl Scheben
J. A. Coleman	M. T. McCarthy	Carl Schneider
Roy Conway	T. B. McConnell	Ray O. Shehan
Herbert Cook	John L. McDermott	Dr. B. F. Shields
Harry Davis	Lloyd MacDonald	Chester D. Silvers
Sam Dever	W. F. McGary	Bruce Sloan
Stanley S. Dickson	Elmer McGlothen	H. C. Steely
George W. Dunlap	John Marshall	Dr. H. S. Swope
Walter R. Fannin	Duke Mayfield	W. R. Tapp
James Garnett, Jr.	G. S. Milam	J. J. Thomas
G. W. Garrett	W. H. Miller	R. Van Bever, Jr.
Ferd A. Gnau	John B. Mollett	Joseph L. Wall
Eugene Gough	W. E. Mull	Henry Ward
Ben Grogan	Tyler Munford	L. R. Wells
C. L. Hammons	Rodes K. Myers	W. G. Williams
W. L. Hampton, Jr.	J. C. Nickell	Charles Wylie

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Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 600. An Act establishing as a part of the primary road system a road extending from the intersection of same with the Monticello-Mount Pisgah Road near the residence of Harve Edwards to the intersection of same with the Monticello-Slickford Road on top of Edwards Mountain, in Wayne County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is hereby established as a part of the primary road system in Wayne County, Kentucky, a road leading from the intersection of same with the Monticello-Mount Pisgah Road to the intersection of same with the Monticello-Slickford Road on top of Edwards Mountain.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Jas. C. Carter	Stanly S. Dickson
C. W. Anderson, Jr.	V. O. Chandler	George W. Dunlap
H. T. Baker	Floyd Clark	Walter R. Fannin
W. T. Baker	Roscoe Claxon	James Garnett, Jr.
G. M. Ballard	George S. Clay	G. W. Garrett
B. F. Bedford	J. A. Coleman	Ferd A. Gnau
Reuben J. Boling	Roy Conway	Eugene Gough
Douglas Bolling	Herbert Cook	Ben Grogan
Wallace Brown	Harry Davis	James T. Hamilton
Dr. R. A. Byers	Sam Dever	C. L. Hammons

W. L. Hampton, Jr.	John Marshall	A. W. Ross
Thomas W. Hines	Duke Mayfield	Carl Scheben
Price Holbrook	G. S. Milam	Carl Schneider
Clyde S. Howard	W. H. Miller	Ray O. Shehan
Ira W. Hulette	John B. Mollett	Dr. B. F. Shields
John M. Hunnicut	W. E. Mull	Chester D. Silvers
Ben W. Johnson	Tyler Munford	Bruce Sloan
J. H. Jones	Rodes K. Myers	H. C. Steely
O. C. Jones	J. C. Nickell	Dr. H. S. Swope
R. T. Kirkman	Russell O'Neill	W. R. Tapp
J. F. Ladd	Mel Petry	J. J. Thomas
Leslie Larrimore	A. W. Pfeiffer	R. Van Bever, Jr.
Robert E. Lee	J. C. Ramey	Joseph L. Wall
M. T. McCarthy	Hobart Rayburn	Henry Ward
T. B. McConnell	L. K. Rice	L. R. Wells
J. L. McDermott	Wade H. Riley	W. G. Williams
Lloyd MacDonald	Joe E. Robinson	Charles Wylie
W. F. McGary	John C. Robinson	
Elmer McGlothen	W. T. Rollo	—85

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 601. An Act establishing as a part of the primary road system a road extending from the intersection of same with the Monticello-Parnell Road near the residence of J. H. Twyford to the intersection of same with the Monticello-Lock No. 21 Road near Eadsville Post Office in Wayne County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is hereby established as a part of the primary road system in Wayne County, Kentucky, a road leading from the intersection of same with Monticello-Parnell Road near the residence of J. H. Twyford to the intersection of same with the Monticello-Lock No. 21 Road near Eadsville Post Office.

Ordred that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Harry Davis	J. H. Jones
C. W. Anderson, Jr.	Sam Dever	O. C. Jones
H. T. Baker	Stanley S. Dickson	R. T. Kirkman
W. T. Baker	George W. Dunlap	J. F. Ladd
G. M. Ballard	Walter R. Fannin	Leslie Larrimore
E. F. Bedford	James Garnett, Jr.	Robert E. Lee
Reuben J. Boling	G. W. Garrett	M. T. McCarthy
Douglas Bolling	Ferd A. Gnau	T. B. McConnell
Wallace Brown	Eugene Gough	J. L. McDermott
Dr. R. A. Byers	Ben Grogan	Lloyd MacDonald
Jas. C. Carter	C. L. Hammons	W. F. McGary
V. O. Chandler	W. L. Hampton, Jr.	Elmer McGlothen
Floyd Clark	Thomas W. Hines	John Marshall
Roscoe Claxon	Price Holbrook	Duke Mayfield
George S. Clay	Clyde S. Howard	G. S. Milam
J. A. Coleman	Ira W. Hulette	W. H. Miller
Roy Conway	John M. Hunnicut	John B. Mollett
Herbert Cook	Ben W. Johnson	W. E. Mull

Tyler Munford	Joe E. Robinson	H. C. Steely
Rodes K. Myers	John C. Robinson	Dr. H. S. Swope
J. C. Nickell	W. T. Rollo	W. R. Tapp
Russell O'Neill	A. W. Ross	J. J. Thomas
Mel Petry	Carl Scheben	R. Van Bever, Jr.
A. W. Pfeiffer	Carl Schneider	Joseph L. Wall
J. C. Ramey	Ray O. Shehan	Henry Ward
Hobart Rayburn	P. L. Sidebottom	L. R. Wells
L. K. Rice	Chester D. Silvers	W. G. Williams
Wade H. Riley	Bruce Sloan	Charles Wylie

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Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 602. An Act creating and establishing as a part of the primary system of highways of the Commonwealth of Kentucky a road from Gimlet, Kentucky, to Elliottsville, Kentucky, to intersect the Highway at Elliottsville via Ault, Kentucky, in Elliott County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State highways of the Commonwealth of Kentucky, a road leading from Gimlet, Kentucky, to Elliottsville, Kentucky, to intersect the highway at Elliottsville via Ault, Kentucky, in Elliott County, Kentucky.

§ 2. This road thus established to be entitled to receive all benefits of such laws as are now or may hereafter be in

effect relating to the primary system of roads and highways in the Commonwealth of Kentucky.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	G. W. Garrett	John Marshall
C. W. Anderson, Jr.	Ferd A. Gnau	Duke Mayfield
H. T. Baker	Eugene Gough	G. S. Milam
W. T. Baker	Ben Grogan	W. H. Miller
G. M. Ballard	C. L. Hammons	John B. Mollett
B. F. Bedford	W. L. Hampton, Jr.	W. E. Mull
Reuben J. Boling	Thomas W. Hines	Tyler Munford
Douglas Bolling	Price Holbrook	Rodes K. Myers
Wallace Brown	Clyde S. Howard	J. C. Nickell
Dr. R. A. Byers	Ira W. Hulette	Russell O'Neill
Jas. C. Carter	John M. Hunnicut	Mel Petry
V. O. Chandler	Ben W. Johnson	A. W. Pfeiffer
Floyd Clark	J. H. Jones	J. C. Ramey
Roscoe Claxon	O. C. Jones	Hobart Rayburn
George S. Clay	R. T. Kirkman	L. K. Rice
J. A. Coleman	J. F. Ladd	Wade H. Riley
Roy Conway	Leslie Larrimore	Joe E. Robinson
Herbert Cook	Robert E. Lee	John C. Robinson
Harry Davis	M. T. McCarthy	W. T. Rollo
Sam Dever	T. B. McConnell	A. W. Ross
Stanley S. Dickson	J. L. McDermott	Carl Scheben
George W. Dunlap	Lloyd MacDonald	Carl Schneider
Walter R. Fannin	W. F. McGary	Ray O. Shehan
James Garnett, Jr.	Elmer McGlothen	P. L. Sidebottom

Chester D. Silvers	W. R. Tapp	Henry Ward
Bruce Sloan	J. J. Thomas	L. R. Wells
H. C. Steely	R. Van Bever, Jr.	W. G. Williams
Dr. H. S. Swope	Joseph L. Wall	Charles Wylie

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Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 605. An Act to establish as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at the intersection of Godfray Street, and the Bosworth Trail in the town of McKee, Jackson County, Kentucky, and leading to and intersecting the State Highway leading from Booneville to East Bernstadt, Kentucky, in the town of Anniville in Jackson County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there be and is now established as one of the primary road projects of the Commonwealth of Kentucky, the following:

Beginning at the intersection of Godfray Street and the Bosworth Trail in the town of McKee, Jackson County, Kentucky, and running south by way of the Hellard Ford to and intersecting the State Highway leading from Booneville, Kentucky, to East Bernstadt, Kentucky, at the town of Anniville, Kentucky.

The route so established to be designated as Project No.

....., and to be entitled to receive all the benefits of such laws as are now or may be hereafter in effect with relation to the primary system of highways.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	James Garnett, Jr.	Lloyd MacDonald
C. W. Anderson, Jr.	G. W. Garrett	W. F. McGary
H. T. Baker	Ferd A. Gnau	Elmer McGlothen
W. T. Baker	Eugene Gough	John Marshall
G. M. Ballard	Ben Grogan	Duke Mayfield
B. F. Bedford	James T. Hamilton	G. S. Milam
Reuben J. Boling	C. L. Hammons	W. H. Miller
Douglas Bolling	W. L. Hampton, Jr.	John B. Mollett
Wallace Brown	Thomas W. Hines	W. E. Mull
Dr. R. A. Byers	Price Holbrook	Tyler Munford
Jas. C. Carter	Clyde S. Howard	Rodes K. Myers
V. O. Chandler	Ira W. Hulette	J. C. Nickell
Floyd Clark	John M. Hunnicut	Russell O'Neill
Roscoe Claxon	Ben W. Johnson	Mel Petry
George S. Clay	J. H. Jones	A. W. Pfeiffer
J. A. Coleman	O. C. Jones	J. C. Ramey
Roy Conway	R. T. Kirkman	Hobart Rayburn
Herbert Cook	J. F. Ladd	L. K. Rice
Harry Davis	Leslie Larrimore	Wade H. Riley
Sam Dever	Robert E. Lee	Joe E. Robinson
Stanley S. Dickson	M. T. McCarthy	John C. Robinson
George W. Dunlap	T. B. McConnell	W. T. Rollo
Walter R. Fannin	John L. McDermott	A. W. Ross

Carl Scheben	H. C. Steely	Henry Ward
Carl Schneider	Dr. H. S. Swope	L. R. Wells
Ray O. Shehan	W. R. Tapp	W. G. Williams
Dr. B. F. Shields	J. J. Thomas	Charles Wylie
Chester D. Silvers	R. Van Bever, Jr.	
Bruce Sloan	Joseph L. Wall	—85

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 606. An Act to amend and describe the course of Road Project No. 83, being Act of 1924, C. 191, amended by Act 1928, C. 397, and Act 1934, C. 315, of the primary system of roads and highways in the Commonwealth of Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That a state highway be established between the town of McKee, Jackson County, Kentucky, and Irvine, Estill County, Kentucky, as a part of the primary system of roads in Kentucky.

Beginning at the intersection of David Street and the Bosworth Trail in the town of McKee, Jackson County, Kentucky, and leading north out David Street and up Bill's Branch, by way of Indian House, Foxtown, Sand Springs, Drip Rock, Wagersville ..... to Irvine in Estill County, Kentucky.

All laws and parts of laws in conflict with this Act are hereby repealed.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Eugene Gough	W. H. Miller
C. W. Anderson, Jr.	Ben Grogan	John B. Mollett
H. T. Baker	James T. Hamilton	W. E. Mull
W. T. Baker	C. L. Hammons	Tyler Munford
G. M. Ballard	W. L. Hampton, Jr.	Rodes K. Myers
B. F. Bedford	Thomas W. Hines	J. C. Nickell
Reuben J. Boling	Price Holbrook	Russell O'Neill
Douglas Bolling	Clyde S. Howard	Mel Petry
Wallace Brown	Ira W. Hulette	A. W. Pfeiffer
Dr. R. A. Byers	John M. Hunnicut	J. C. Ramey
Jas. C. Carter	Ben W. Johnson	Hobart Rayburn
V. O. Chandler	J. H. Jones	L. K. Rice
Floyd Clark	O. C. Jones	Wade H. Riley
Roscoe Claxon	R. T. Kirkman	Joe E. Robinson
George S. Clay	J F. Ladd	John C. Robinson
J. A. Coleman	Leslie Larrimore	W. T. Rollo
Roy Conway	Robert E. Lee	A. W. Ross
Herbert Cook	M. T. McCarthy	Carl Scheben
Harry Davis	T. B. McConnell	Carl Schneider
Sam Dever	J. L. McDermott	Ray O. Shehan
Stanley S. Dickson	Lloyd MacDonald	Dr. B. F. Shields
George W. Dunlap	W. F. McGary	Chester D. Silvers
Walter R. Fannin	Elmer McGlothen	Bruce Sloan
James Garnett, Jr.	John Marshall	H. C. Steely
G. W. Garrett	Duke Mayfield	Dr. H. S. Swope
Ferd A. Gnau	G. S. Milam	W. R. Tapp

J. J. Thomas	Henry Ward	Charles Wylie
R. Van Bever, Jr.	L. R. Wells	
Joseph L. Wall	W. G. Williams	—85

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 607. An Act creating and establishing as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning on the Bald Knob Highway at the John Pardi Estate in Franklin County, and thence to the Bryant School House, thence to A. A. Moore, thence to Hubert Keslar and thence to the Bagdad Highway in Shelby County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and there now is established as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning on the Bald Knob Highway at the John Pardi Estate in Franklin County, and thence to the Bryant School House, thence to A A. Moore, thence to Hubert Keslar and thence to the Bagdad Highway in Shelby County, Kentucky.

§ 2. That the road now established as a part of the primary system of highways of the Commonwealth of Kentucky shall be entitled to all the rights, privileges, benefits and conditions of all the laws now in force or which may hereafter be enacted affecting the primary road system.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	C. L. Hammons	Russell O'Neill
C. W. Anderson, Jr.	W. L. Hampton, Jr.	Mel Petry
H. T. Baker	Thomas W. Hines	A. W. Pfeiffer
W. T. Baker	Price Holbrook	J. C. Ramey
G. M. Ballard	Clyde S. Howard	Hobart Rayburn
B. F. Bedford	Ira W. Hulette	L. K. Rice
Reuben J. Boling	John M. Hunnicut	Wade H. Riley
Ollie J. Bowen	Ben W. Johnson	Joe E. Robinson
Wallace Brown	J. H. Jones	John C. Robinson
Dr. R. A. Byers	O. C. Jones	W. T. Rollo
Jas. C. Carter	R. T. Kirkman	A. W. Ross
V. O. Chandler	J. F. Ladd	Carl Scheben
Floyd Clark	Robert E. Lee	Carl Schneider
Roscoe Claxon	M. T. McCarthy	Ray O. Shehan
George S. Clay	T. B. McConnell	Dr. B. F. Shields
J. A. Coleman	J. L. McDermott	Chester D. Silvers
Roy Conway	Lloyd MacDonald	Bruce Sloan
Herbert Cook	W. F. McGary	H. C. Steely
Harry Davis	Elmer McGlothen	Dr. H. S. Swope
Sam Dever	John Marshall	W. R. Tapp
Stanley S. Dickson	Duke Mayfield	J. J. Thomas
George W. Dunlap	G. S. Milam	R. Van Bever, Jr.
Walter R. Fannin	W. H. Miller	Joseph L. Wall
James Garnett, Jr.	John B. Mollett	Henry Ward
G. W. Garrett	W. E. Mull	L. R. Wells
Ferd A. Gnau	Tyler Munford	W. G. Williams
Eugene Gough	Rodes K. Myers	Charles Wylie
Ben Grogan	J. C. Nickell	

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Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 608. An Act establishing as part of the system of State Highways certain roads in Adair County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State Highways of the Commonwealth of Kentucky all roads or parts of roads in Adair County that are of record as established mail routes, or which may later be designated as regular mail routes, upon certification of such roads to the State Highway Commission by the Fiscal Court of Adair County.

§ 2. That the construction, maintenance, supervision and control of said roads shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920, and all other laws pertaining thereto establishing and creating the primary system of State Highways, to the same effect as if said roads had been named in the original Act as of the projects of the primary system of State Highways as provided therein.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of

said bill at length being dispensed with, said bill was read the the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	C. L. Hammons	Russell O'Neill
C. W. Anderson, Jr.	W. L. Hampton, Jr.	Mel Petry
H. T. Baker	Thomas W. Hines	A. W. Pfeiffer
W. T. Baker	Price Holbrook	J. C. Ramey
G. M. Ballard	Clyde S. Howard	Hobart Rayburn
B. F. Bedford	Ira W. Hulette	L. K. Rice
Reuben J. Boling	John M. Hunnicut	Wade H. Riley
Douglas Bolling	Ben W. Johnson	Joe E. Robinson
Wallace Brown	J. H. Jones	John C. Robinson
Dr. R. A. Byers	O. C. Jones	W. T. Rollo
Jas. C. Carter	R. T. Kirkman	A. W. Ross
V. O. Chandler	J. F. Ladd	Carl Scheben
Floyd Clark	Leslie Larrimore	Carl Schneider
Roscoe Claxon	Robert E. Lee	Ray O. Shehan
George S. Clay	M. T. McCarthy	Dr. B. F. Shields
J. A. Coleman	T. B. McConnell	Chester D. Silvers
Roy Conway	John L. McDermott	Bruce Sloan
Herbert Cook	Lloyd MacDonald	H. C. Steely
Harry Davis	W. F. McGary	Dr. H. S. Swope
Sam Dever	Elmer McGlothen	W. R. Tapp
Stanley S. Dickson	John Marshall	J. J. Thomas
George W. Dunlap	Duke Mayfield	R. Van Bever, Jr.
Walter R. Fannin	G. S. Milam	Joseph L. Wall
James Garnett, Jr.	W. H. Miller	Henry Ward
G. W. Garrett	John B. Mollett	L. R. Wells
Ferd A. Gnau	W. E. Mull	W. G. Williams
Eugene Gough	Tyler Munford	Charles Wylie
Ben Grogan	Rodes K. Myers	
James T. Hamilton	J. C. Nickell	

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Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 609. An Act establishing as part of the system of State Highways a road known as the Milltown-Gradyville road in Adair County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State Highways of the Commonwealth of Kentucky a road in Adair County known as the Milltown-Gradyville Road, said road starting at its present junction with the Columbia-Greensburg road and continuing along its present established route to Gradyville and its junction at or near that point with the Columbia-Edmonton road.

§ 2. That the construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920, and all other laws pertaining thereto, establishing and creating the primary system of State Highways, to the same effect as if said road had been named in the original Act as one of the projects of the primary system of State Highways as provided therein.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of

said bill at length being dispensed with, said bill was read the the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	C. L. Hammons	J. C. Nickell
C. W. Anderson, Jr.	W. L. Hampton, Jr.	Russell O'Neill
H. T. Baker	Thomas W. Hines	Mel Petry
W. T. Baker	Price Holbrook	A. W. Pfeiffer
G. M. Ballard	Clyde S. Howard	J. C. Ramey
B. F. Bedford	Ira W. Hulette	Hobart Rayburn
Reuben J. Boling	John M. Hunnicut	L. K. Rice
Ollie J. Bowen	Ben W. Johnson	Wade H. Riley
Wallace Brown	J. H. Jones	Joe E. Robinson
Dr. R. A. Byers	O. C. Jones	John C. Robinson
Jas. C. Carter	R. T. Kirkman	W. T. Rollo
V. O. Chandler	J. F. Ladd	A. W. Ross
Floyd Clark	Robert E. Lee	Carl Scheben
Roscoe Claxon	M. T. McCarthy	Carl Schneider
George S. Clay	T. B. McConnell	Ray O. Shehan
J. A. Coleman	John L. McDermott	Dr. B. F. Shields
Roy Conway	Lloyd MacDonald	Chester D. Silvers
Herbert Cook	W. F. McGary	Bruce Sloan
Harry Davis	Elmer McGlothen	H. C. Steely
Sam Dever	John Marshall	Dr. H. S. Swope
Stanley S. Dickson	Duke Mayfield	W. R. Tapp
Walter R. Fannin	G. S. Milam	J. J. Thomas
James Garnett, Jr.	W. H. Miller	R. Van Bever, Jr.
G. W. Garrett	John B. Mollett	Joseph L. Wall
Ferd A. Gnau	W. E. Mull	Henry Ward
Eugene Gough	Tyler Munford	L. R. Wells
Ben Grogan	Rodes K. Myers	W. G. Williams

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Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 610. An Act establishing as part of the system of State Highways certain roads in Monroe County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State Highways of the Commonwealth of Kentucky all roads or parts of roads in Monroe County that are of record as established mail routes, or which may later be designated as regular mail routes, upon certification of such roads to the State Highway Commission by the Fiscal Court of Monroe County.

§ 2. That the construction, maintenance, supervision and control of said roads shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920, and all other laws pertaining thereto establishing and creating the primary system of State Highways to the same effect as if said roads had been named in the original Act as of the projects of the primary system of State Highways as provided therein.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	C. L. Hammons	J. C. Nickell
C. W. Anderson, Jr.	W. L. Hampton, Jr.	Russell O'Neill
H. T. Baker	Thomas W. Hines	Mel Petry
W. T. Baker	Price Holbrook	A. W. Pfeiffer
G. M. Ballard	Clyde S. Howard	J. C. Ramey
B. F. Bedford	Ira W. Hulette	Hobart Rayburn
Reuben J. Boling	John M. Hunnicut	L. K. Rice
Ollie J. Bowen	Ben W. Johnson	Wade H. Riley
Wallace Brown	J. H. Jones	Joe E. Robinson
Dr. R. A. Byers	O. C. Jones	John C. Robinson
Jas. C. Carter	R. T. Kirkman	W. T. Rollo
V. O. Chandler	J. F. Ladd	A. W. Ross
Floyd Clark	Robert E. Lee	Carl Scheben
Roscoe Claxon	M. T. McCarthy	Carl Schneider
George S. Clay	T. B. McConnell	Ray O. Shehan
J. A. Coleman	John L. McDermott	Dr. B. F. Shields
Roy Conway	Lloyd MacDonald	Chester D. Silvers
Herbert Cook	W. F. McGary	Bruce Sloan
Harry Davis	Elmer McGlothen	H. C. Steely
Sam Dever	John Marshall	Dr. H. S. Swope
Stanley S. Dickson	Duke Mayfield	W. R. Tapp
Walter R. Fannin	G. S. Milam	J. J. Thomas
James Garnett, Jr.	W. H. Miller	R. Van Bever, Jr.
G. W. Garrett	John B. Mollett	Joseph L. Wall
Ferd A. Gnau	W. E. Mull	Henry Ward
Eugene Gough	Tyler Munford	L. R. Wells
Ben Grogan	Rodes K. Myers	W. G. Williams

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Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 611. An Act establishing as part of the system of State Highways certain roads in Metcalfe County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State Highways of the Commonwealth of Kentucky all roads or parts of roads in Metcalfe County that are of record as established mail routes, or which may later be designated as regular mail routes, upon certification of such roads to the State Highway Commission by the Fiscal Court of Metcalfe County.

§ 2. That the construction, maintenance, supervision and control of said roads shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920, and all other laws pertaining thereto establishing and creating the primary system of State Highways, to the same effect as if said roads had been named in the original Act as of the projects of the primary system of State Highways as provided therein.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	C. L. Hammons	J. C. Nickell
C. W. Anderson, Jr.	W. L. Hampton, Jr.	Russell O'Neill
H. T. Baker	Thomas W. Hines	Mel Petry
W. T. Baker	Price Holbrook	A. W. Pfeiffer
G. M. Ballard	Clyde S. Howard	J. C. Ramey
B. F. Bedford	Ira W. Hulette	Hobart Rayburn
Reuben J. Boling	John M. Hunnicut	L. K. Rice
Ollie J. Bowen	Ben W. Johnson	Wade H. Riley
Wallace Brown	J. H. Jones	Joe E. Robinson
Dr. R. A. Byers	O. C. Jones	John C. Robinson
Jas. C. Carter	R. T. Kirkman	W. T. Rollo
V. O. Chandler	J. F. Ladd	A. W. Ross
Floyd Clark	Robert E. Lee	Carl Scheben
Roscoe Claxon	M. T. McCarthy	Carl Schneider
George S. Clay	T. B. McConnell	Ray O. Shehan
J. A. Coleman	John L. McDermott	Dr. B. F. Shields
Roy Conway	Lloyd MacDonald	Chester D. Silvers
Herbert Cook	W. F. McGary	Bruce Sloan
Harry Davis	Elmer McGlothen	H. C. Steely
Sam Dever	John Marshall	Dr. H. S. Swope
Stanley S. Dickson	Duke Mayfield	W. R. Tapp
Walter R. Fannin	G. S. Milam	J. J. Thomas
James Garnett, Jr.	W. H. Miller	R. Van Bever, Jr.
G. W. Garrett	John B. Mollett	Joseph L. Wall
Ferd A. Gnau	W. E. Mull	Henry Ward
Eugene Gough	Tyler Munford	L. R. Wells
Ben Grogan	Rodes K. Myers	W. G. Williams

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Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 614. An Act establishing as part of the system of State Highways certain roads in Barren County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State Highways of the Commonwealth of Kentucky all roads, or parts of roads in Barren County that are of record as established mail routes, or which may later be designated as regular mail routes, upon certification of such roads to the State Highway Commission by the Fiscal Court of Barren County.

§ 2. That the construction, maintenance, supervision and control of said roads shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920, and all other laws pertaining thereto establishing and creating the primary system of State Highways, to the same effect as if said roads had been named in the original Act as of the projects of the Primary System of State Highways as provided therein.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	W. T. Baker	Reuben J. Boling
C. W. Anderson, Jr.	G. M. Ballard	Ollie J. Bowen
H. T. Baker	B. F. Bedford	Wallace Brown

Dr. R. A. Byers	John M. Hunnicut	A. W. Pfeiffer
Jas. C. Carter	Ben W. Johnson	J. C. Ramey
V. O. Chandler	J. H. Jones	Hobart Rayburn
Floyd Clark	O. C. Jones	L. K. Rice
Roscoe Claxon	R. T. Kirkman	Wade H. Riley
George S. Clay	J. F. Ladd	Joe E. Robinson
J. A. Coleman	Robert E. Lee	John C. Robinson
Roy Conway	M. T. McCarthy	W. T. Rollo
Herbert Cook	T. B. McConnell	A. W. Ross
Harry Davis	John L. McDermott	Carl Scheben
Sam Dever	Lloyd MacDonald	Carl Schneider
Stanley S. Dickson	W. F. McGary	Ray O. Shehan
Walter R. Fannin	Elmer McGlothen	Dr. B. F. Shields
James Garnett, Jr.	John Marshall	Chester D. Silvers
G. W. Garrett	Duke Mayfield	Bruce Sloan
Ferd A. Gnau	G. S. Milam	H. C. Steely
Eugene Gough	W. H. Miller	Dr. H. S. Swope
Ben Grogan	John B. Mollett	W. R. Tapp
C. L. Hammons	W. E. Mull	J. J. Thomas
W. L. Hampton, Jr.	Tyler Munford	R. Van Bever, Jr.
Thomas W. Hines	Rodes K. Myers	Joseph L. Wall
Price Holbrook	J. C. Nickell	Henry Ward
Clyde S. Howard	Russell O'Neill	L. R. Wells
Ira W. Hulette	Mel Petry	W. G. Williams

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Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 615. An Act establishing as part of the system of State Highways a road known as the Neal's Chapel road in Barren County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State Highways of the Commonwealth of Kentucky a road in Barren County known as the Neal's Chapel Road, said road starting at its present junction with Highway No. 80 at Lecta and proceeding via Neal's Chapel, etc., along its present established route to Randolph.

§ 2. That the construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920, and all other laws pertaining thereto establishing and creating the primary system of State Highways, to the same effect as if said road had been named in the original Act as one of the projects of the primary system of State Highways as provided therein.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Reuben J. Boling	Floyd Clark
C. W. Anderson, Jr.	Ollie J. Bowen	Roscoe Claxon
H. T. Baker	Wallace Brown	George S. Clay
W. T. Baker	Dr. R. A. Byers	J. A. Coleman
G. M. Ballard	Jas. C. Carter	Roy Conway
B. F. Bedford	V. O. Chandler	Herbert Cook

Harry Davis	Robert E. Lee	L. K. Rice
Sam Dever	M. T. McCarthy	Wade H. Riley
Stanley S. Dickson	T. B. McConnell	Joe E. Robinson
Walter R. Fannin	John L. McDermott	John C. Robinson
James Garnett, Jr.	Lloyd MacDonald	W. T. Rollo
G. W. Garrett	W. F. McGary	A. W. Ross
Ferd A. Gnau	Elmer McGlothen	Carl Scheben
Eugene Gough	John Marshall	Carl Schneider
Ben Grogan	Duke Mayfield	Ray O. Shehan
C. L. Hammons	G. S. Milam	Dr. B. F. Shields
W. L. Hampton, Jr.	W. H. Miller	Chester D. Silvers
Thomas W. Hines	John B. Mollett	Bruce Sloan
Price Holbrook	W. E. Mull	H. C. Steely
Clyde S. Howard	Tyler Munford	Dr. H. S. Swope
Ira W. Hulette	Rodes K. Myers	W. R. Tapp
John M. Hunnicut	J. C. Nickell	J. J. Thomas
Ben W. Johnson	Russell O'Neill	R. Van Bever, Jr.
J. H. Jones	Mel Petry	Joseph L. Wall
O. C. Jones	A. W. Pfeiffer	Henry Ward
R. T. Kirkman	J. C. Ramey	L. R. Wells
J. F. Ladd	Hobart Rayburn	W. G. Williams

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Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 616. An Act establishing as part of the system of State Highways a road known as the Coral Hill-Hiseville road in Barren County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State Highways of the Commonwealth of Kentucky a road in Barren County known as the Coral Hill-Hiseville road, said road starting at Coral Hill and continuing to Hiseville town along the present established route in the most practical manner.

§ 2. That the construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920, and all other laws pertaining thereto establishing and creating the primary system of State Highways, to the same effect as if said road had been named in the original Act as one of the projects of the primary system of State Highways as provided therein.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Dr. R. A. Byers	Harry Davis
C. W. Anderson, Jr.	Jas. C. Carter	Sam Dever
H. T. Baker	V. O. Chandler	Stanley S. Dickson
W. T. Baker	Floyd Clark	George W. Dunlap
G. M. Ballard	Roscoe Claxon	Walter R. Fannin
B. F. Bedford	George S. Clay	James Garnett, Jr.
Reuben J. Boling	J. A. Coleman	G. W. Garrett
Ollie J. Bowen	Roy Conway	Ferd A. Gnau
Wallace Brown	Herbert Cook	Eugene Gough

Ben Grogan	Elmer McGlothen	W. T. Rollo
C. L. Hammons	John Marshall	A. W. Ross
W. L. Hampton, Jr.	Duke Mayfield	Carl Scheben
Thomas W. Hines	G. S. Milam	Carl Schneider
Price Holbrook	W. H. Miller	Ray O. Shehan
Clyde S. Howard	John B. Mollett	Dr. B. F. Shields
Ira W. Hulette	W. E. Mull	Chester D. Silvers
John M. Hunnicut	Tyler Munford	Bruce Sloan
Ben W. Johnson	Rodes K. Myers	H. C. Steely
J. H. Jones	J. C. Nickell	Dr. H. S. Swope
O. C. Jones	Russell O'Neill	W. R. Tapp
R. T. Kirkman	Mel Petry	J. J. Thomas
J. F. Ladd	A. W. Pfeiffer	R. Van Bever, Jr.
Robert E. Lee	J. C. Ramey	Joseph L. Wall
M. T. McCarthy	Hobart Rayburn	Henry Ward
T. B. McConnell	L. K. Rice	L. R. Wells
J. L. McDermott	Wade H. Riley	W. G. Williams
Lloyd MacDonald	Joe E. Robinson	Charles Wylie
W. F. McGary	John C. Robinson	—83

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 617. An Act establishing as part of the system of State Highways a road known as the Slick Rock road in Barren County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the

primary system of State Highways of the Commonwealth of Kentucky, a road in Barren County known as the Slick Rock road, said road starting at its present junction with Highway No. 80 about 7 miles east of Glasgow, and continuing through Slick Rock along its present established route to Randolph.

§ 2. That the construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920, and all other laws pertaining thereto establishing and creating the primary system of State Highways to the same effect as if said road had been named in the original act as one of the projects of the primary system of State Highways as provided therein.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Floyd Clark	G. W. Garrett
C. W. Anderson, Jr.	Roscoe Claxon	Ferd A. Gnau
H. T. Baker	George S. Clay	Eugene Gough
W. T. Baker	J. A. Coleman	Ben Grogan
G. M. Ballard	Roy Conway	C. L. Hammons
B. F. Bedford	Herbert Cook	W. L. Hampton, Jr.
Reuben J. Boling	Harry Davis	Thomas W. Hines
Ollie J. Bowen	Sam Dever	Price Holbrook
Wallace Brown	Stanley S. Dickson	Clyde S. Howard
Dr. R. A. Byers	George W. Dunlap	Ira W. Hulette
Jas. C. Carter	Walter R. Fannin	John M. Hunnicut
V. O. Chandler	James Garnett, Jr.	Ben W. Johnson

J. H. Jones	W. E. Mull	Carl Schneider
O. C. Jones	Tyler Munford	Ray O. Shehan
R. T. Kirkman	Rodes K. Myers	Dr. B. F. Shields
J. F. Ladd	J. C. Nickell	Chester D. Silvers
Robert E. Lee	Russell O'Neill	Bruce Sloan
M. T. McCarthy	Mel Petry	H. C. Steely
T. B. McConnell	A. W. Pfeiffer	Dr. H. S. Swope
J. L. McDermott	J. C. Ramey	W. R. Tapp
Lloyd MacDonald	Hobart Rayburn	J. J. Thomas
W. F. McGary	L. K. Rice	R. Van Bever, Jr.
Elmer McGlothen	Wade H. Riley	Joseph L. Wall
John Marshall	Joe E. Robinson	Henry Ward
Duke Mayfield	John C. Robinson	L. R. Wells
G. S. Milam	W. T. Rollo	W. G. Williams
W. H. Miller	A. W. Ross	Charles Wylie
John B. Mollett	Carl Scheben	—83

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 618. An Act establishing as part of the system of State Highways a road known as the Randolph-Edmonton road in Metcalfe County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State Highways of the Commonwealth of Kentucky, a road in Metcalfe County known as the Randolph-

Edmonton road, said road starting at Randolph and proceeding to Edmonton by the most practical manner with respect to its present established route.

§ 2. That the construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920, and all other laws pertaining thereto establishing and creating the primary system of State Highways, to the same effect as if said road had been named in the original Act as one of the projects of the primary system of State Highways as provided therein.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	George S. Clay	C. L. Hammons
C. W. Anderson, Jr.	J. A. Coleman	W. L. Hampton, Jr.
H. T. Baker	Roy Conway	Thomas W. Hines
W. T. Baker	Herbert Cook	Price Holbrook
G. M. Ballard	Harry Davis	Clyde S. Howard
B. F. Bedford	Sam Dever	Ira W. Hulette
Reuben J. Boling	Stanley S. Dickson	John M. Hunnicut
Ollie J. Bowen	George W. Dunlap	Ben W. Johnson
Wallace Brown	Walter R. Fannin	J. H. Jones
Dr. R. A. Byers	James Garnett, Jr.	O. C. Jones
Jas. C. Carter	G. W. Garrett	R. T. Kirkman
V. O. Chandler	Ferd A. Gnau	J. F. Ladd
Floyd Clark	Eugene Gough	Robert E. Lee
Roscoe Claxon	Ben Grogan	M. T. McCarthy

T. B. McConnell	Russell O'Neill	Dr. B. F. Shields
J. L. McDermott	Mel Petry	Chester D. Silvers
Lloyd MacDonald	A. W. Pfeiffer	Bruce Sloan
W. F. McGary	J. C. Ramey	H. C. Steely
Elmer McGlothen	Hobart Rayburn	Dr. H. S. Swope
John Marshall	L. K. Rice	W. R. Tapp
Duke Mayfield	Wade H. Riley	J. J. Thomas
G. S. Milam	Joe E. Robinson	R. Van Bever, Jr.
W. H. Miller	John C. Robinson	Joseph L. Wall
John B. Mollett	W. T. Rollo	Henry Ward
W. E. Mull	A. W. Ross	L. R. Wells
Tyler Munford	Carl Scheben	W. G. Williams
Rodes K. Myers	Carl Schneider	Charles Wylie
J. C. Nickell	Ray O. Shehan	—83

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 619. An Act establishing as part of the system of State Highways a road known as the Beckton-Red Cross road in Barren County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State Highways of the Commonwealth of Kentucky, a road in Barren County known as the Beckton-Red Cross road, said road starting at the city of Glasgow at the end of the Cleveland avenue and continuing along its

present established route via Beckton, thence to Red Cross and thence to Bailton.

§ 2. That the construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920, and all other laws pertaining thereto establishing and creating the primary system of State Highways, to the same effect as if said road had been named in the original Act as one of the projects of the primary system of State Highways as provided therein.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	J. A. Coleman	Thomas W. Hines
C. W. Anderson, Jr.	Roy Conway	Price Holbrook
H. T. Baker	Herbert Cook	Clyde S. Howard
W. T. Baker	Harry Davis	Ira W. Hulette
G. M. Ballard	Sam Dever	John M. Hunnicut
B. F. Bedford	Stanley S. Dickson	Ben W. Johnson
Reuben J. Boling	George W. Dunlap	J. H. Jones
Ollie J. Bowen	Walter R. Fannin	O. C. Jones
Wallace Brown	James Garnett, Jr.	R. T. Kirkman
Dr. R. A. Byers	G. W. Garrett	J. F. Ladd
Jas. C. Carter	Ferd A. Gnau	Robert E. Lee
V. O. Chandler	Eugene Gough	M. T. McCarthy
Floyd Clark	Ben Grogan	T. B. McConnell
Roscoe Claxon	C. L. Hammons	J. L. McDermott
George S. Clay	W. L. Hampton, Jr.	Lloyd MacDonald

W. F. McGary	A. W. Pfeiffer	Chester D. Silvers
Elmer McGlothen	J. C. Ramey	Bruce Sloan
John Marshall	Hobart Rayburn	H. C. Steely
Duke Mayfield	L. K. Rice	Dr. H. S. Swope
G. S. Milam	Wade H. Riley	W. R. Tapp
W. H. Miller	Joe E. Robinson	J. J. Thomas
John B. Mollett	John C. Robinson	R. Van Bever, Jr.
W. E. Mull	W. T. Rollo	Joseph L. Wall
Tyler Munford	A. W. Ross	Henry Ward
Rodes K. Myers	Carl Scheben	L. R. Wells
J. C. Nickell	Carl Schneider	W. G. Williams
Russell O'Neill	Ray O. Shehan	Charles Wylie
Mel Petry	Dr. B. F. Shields	—83

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 620. An Act establishing as a part of the system of State Highways a road known as the Beckton-Rocky Hill road in Barren County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State Highways of the Commonwealth of Kentucky a road in Barren County known as the Beckton-Rocky Hill road, said road starting at Beckton and proceeding to Rocky Hill, via its present established route.

§ 2. That the construction, maintenance, supervision

and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920, and all other laws pertaining thereto establishing and creating the primary system of State Highways, to the same effect as if said road had been named in the original Act as one of the projects of the primary system of State Highways as provided therein.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Harry Davis	J. H. Jones
C. W. Anderson, Jr.	Sam Dever	O. C. Jones
H. T. Baker	Stanley S. Dickson	R. T. Kirkman
W. T. Baker	George W. Dunlap	J. F. Ladd
G. M. Ballard	Walter R. Fannin	Robert E. Lee
B. F. Bedford	James Garnett, Jr.	M. T. McCarthy
Reuben J. Boling	G. W. Garrett	T. B. McConnell
Ollie J. Bowen	Ferd A. Gnau	J. L. McDermott
Wallace Brown	Eugene Gough	Lloyd MacDonald
Dr. R. A. Byers	Ben Grogan	W. F. McGary
Jas. C. Carter	C. L. Hammons	Elmer McGlothen
V. O. Chandler	W. L. Hampton, Jr.	John Marshall
Floyd Clark	Thomas W. Hines	Duke Mayfield
Roscoe Claxon	Price Holbrook	G. S. Milam
George S. Clay	Clyde S. Howard	W. H. Miller
J. A. Coleman	Ira W. Hulette	John B. Mollett
Roy Conway	John M. Hunnicut	W. E. Mull
Herbert Cook	Ben W. Johnson	Tyler Munford

Rodes K. Myers	John C. Robinson	Dr. H. S. Swope
J. C. Nickell	W. T. Rollo	W. R. Tapp
Russell O'Neill	A. W. Ross	J. J. Thomas
Mel Petry	Carl Scheben	R. Van Bever, Jr.
A. W. Pfeiffer	Carl Schneider	Joseph L. Wall
J. C. Ramey	Ray O. Shehan	Henry Ward
Hobart Rayburn	Dr. B. F. Shields	L. R. Wells
L. K. Rice	Chester D. Silvers	W. G. Williams
Wade H. Riley	Bruce Sloan	Charles Wylie
Joe E. Robinson	H. C. Steely	—83

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 621. An Act establishing as part of the system of State Highways a road known as the Bonayr–Rocky Hill road in Barren County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State Highways of the Commonwealth of Kentucky a road in Barren County known as the Bonayr–Rocky Hill road, said road starting at Bon Ayr and continuing along its present route to Rocky Hill.

§ 2. That the construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920, and all other laws pertaining thereto estab-

lishing and creating the primary system of State Highways, to the same effect as if said road had been named in the original Act as one of the projects of the primary system of State Highways as provided therein.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Walter R. Fannin	Lloyd MacDonald
C. W. Anderson, Jr.	James Garnett, Jr.	W. F. McGary
H. T. Baker	G. W. Garrett	Elmer McGlothen
W. T. Baker	Ferd A. Gnau	John Marshall
G. M. Ballard	Eugene Gough	Duke Mayfield
B. F. Bedford	Ben Grogan	G. S. Milam
Reuben J. Boling	C. L. Hammons	W. H. Miller
Ollie J. Bowen	W. L. Hampton, Jr.	John B. Mollett
Wallace Brown	Thomas W. Hines	W. E. Mull
Dr. R. A. Byers	Price Holbrook	Tyler Munford
Jas. C. Carter	Clyde S. Howard	Rodes K. Myers
V. O. Chandler	Ira W. Hulette	J. C. Nickell
Floyd Clark	John M. Hunnicut	Russell O'Neill
Roscoe Claxon	Ben W. Johnson	Mel Petry
George S. Clay	J. H. Jones	A. W. Pfeiffer
J. A. Coleman	O. C. Jones	J. C. Ramey
Roy Conway	R. T. Kirkman	Hobart Rayburn
Herbert Cook	J. F. Ladd	L. K. Rice
Harry Davis	Robert E. Lee	Wade H. Riley
Sam Dever	M. T. McCarthy	Joe E. Robinson
Stanley S. Dickson	T. B. McConnell	John C. Robinson
George W. Dunlap	J. L. McDermott	W. T. Rollo

A. W. Ross	Bruce Sloan	Joseph L. Wall
Carl Scheben	H. C. Steely	Henry Ward
Carl Schneider	Dr. H. S. Swope	L. R. Wells
Ray O. Shehan	W. R. Tapp	W. G. Williams
Dr. B. F. Shields	J. J. Thomas	Charles Wylie
Chester D. Silvers	R. Van Bever, Jr.	—83

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 622. An Act establishing as part of the system of State Highways a road known as the Railton-Coles Bend road in Barren County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State Highways of the Commonwealth of Kentucky a road in Barren County known as the Railton-Coles Bend road, said road starting at Railton and continuing to Coles Bend along its present established route.

§ 2. That the construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920, and all other laws pertaining thereto establishing and creating the primary system of State Highways, to the same effect as if said road had been named in the original Act as one of the projects of the primary system of State Highways as provided therein.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	C. L. Hammons	Russell O'Neill
C. W. Anderson, Jr.	W. L. Hampton, Jr.	Mel Petry
H. T. Baker	Thomas W. Hines	A. W. Pfeiffer
W. T. Baker	Price Holbrook	J. C. Ramey
G. M. Ballard	Clyde S. Howard	Hobart Rayburn
B. F. Bedford	Ira W. Hulette	L. K. Rice
Reuben J. Boling	John M. Hunnicut	Wade H. Riley
Ollie J. Bowen	Ben W. Johnson	Joe E. Robinson
Wallace Brown	J. H. Jones	John C. Robinson
Dr. R. A. Byers	O. C. Jones	W. T. Rollo
Jas. C. Carter	R. T. Kirkman	A. W. Ross
V. O. Chandler	J. F. Ladd	Carl Scheben
Floyd Clark	Robert E. Lee	Carl Schneider
Roscoe Claxon	M. T. McCarthy	Ray O. Shehan
George S. Clay	T. B. McConnell	Dr. B. F. Shields
J. A. Coleman	J. L. McDermott	Chester D. Silvers
Roy Conway	Lloyd MacDonald	Bruce Sloan
Herbert Cook	W. F. McGary	H. C. Steely
Harry Davis	Elmer McGlothen	Dr. H. S. Swope
Sam Dever	John Marshall	W. R. Tapp
Stanley S. Dickson	Duke Mayfield	J. J. Thomas
George W. Dunlap	G. S. Milam	R. Van Bever, Jr.
Walter R. Fannin	W. H. Miller	Joseph L. Wall
James Garnett, Jr.	John B. Mollett	Henry Ward
G. W. Garrett	W. E. Mull	L. R. Wells
Ferd A. Gnau	Tyler Munford	W. G. Williams
Eugene Gough	Rodes K. Myers	Charles Wylie
Ben Grogan	J. C. Nickell	

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Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 623. An Act establishing as part of the system of State Highways a road known as the Temple Hill-Etoile-Austin road in Barren County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State Highways of the Commonwealth of Kentucky a road in Barren County, known as the Temple Hill-Etoile-Austin road, said road starting at Temple Hill, and continuing along the most practical route respecting the present established route to Etoile, thence via Caney Fork to intersection with SP-295 near Peters Creek, and thence to Austin.

§ 2. That the construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920, and all other laws pertaining thereto establishing and creating the primary system of State Highways, to the same effect as if said road had been named in the original Act as one of the projects of the primary system of State Highways as provided therein.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	C. L. Hammons	Russell O'Neill
C. W. Anderson, Jr.	W. L. Hampton, Jr.	Mel Petry
H. T. Baker	Thomas W. Hines	A. W. Pfeiffer
W. T. Baker	Price Holbrook	J. C. Ramey
G. M. Ballard	Clyde S. Howard	Hobart Rayburn
B. F. Bedford	Ira W. Hulette	L. K. Rice
Reuben J. Boling	John M. Hunnicut	Wade H. Riley
Ollie J. Bowen	Ben W. Johnson	Joe E. Robinson
Wallace Brown	J. H. Jones	John C. Robinson
Dr. R. A. Byers	O. C. Jones	W. T. Rollo
Jas. C. Carter	R. T. Kirkman	A. W. Ross
V. O. Chandler	J. F. Ladd	Carl Scheben
Floyd Clark	Robert E. Lee	Carl Schneider
Roscoe Claxon	M. T. McCarthy	Ray O. Shehan
George S. Clay	T. B. McConnell	Dr. B. F. Shields
J. A. Coleman	J. L. McDermott	Chester D. Silvers
Roy Conway	Lloyd MacDonald	Bruce Sloan
Herbert Cook	W. F. McGary	H. C. Steely
Harry Davis	Elmer McGlothen	Dr. H. S. Swope
Sam Dever	John Marshall	W. R. Tapp
Stanley S. Dickson	Duke Mayfield	J. J. Thomas
George W. Dunlap	G. S. Milam	R. Van Bever, Jr.
Walter R. Fannin	W. H. Miller	Joseph L. Wall
James Garnett, Jr.	John B. Mollett	Henry Ward
G. W. Garrett	W. E. Mull	L. R. Wells
Ferd A. Gnau	Tyler Munford	W. G. Williams
Eugene Gough	Rodes K. Myers	Charles Wylie
Ben Grogan	J. C. Nickell	

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Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 624. An Act establishing as part of the system of State Highways a road known as the Freedom-Etoile road in Barren County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State Highways of the Commonwealth of Kentucky, a road in Barren County known as the Freedom-Etoile road, said road starting at its junction with the Glasgow-Tompkinsville road, about 1/3 mile south of Hammett's store at Freedom, and continuing along its present established route to Etoile and thence to junction with State Road No. ..... at or near Roseville.

§ 2. That the construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920, and all other laws pertaining thereto establishing and creating the primary system of State Highways, to the same effect as if said road had been named in the original Act as one of the projects of the primary system of State Highways as provided therein.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	C. L. Hammons	Russell O'Neill
C. W. Anderson, Jr.	W. L. Hampton, Jr.	Mel Petry
H. T. Baker	Thomas W. Hines	A. W. Pfeiffer
W. T. Baker	Price Holbrook	J. C. Ramey
G. M. Ballard	Clyde S. Howard	Hobart Rayburn
B. F. Bedford	Ira W. Hulette	L. K. Rice
Reuben J. Boling	John M. Hunnicut	Wade H. Riley
Ollie J. Bowen	Ben W. Johnson	Joe E. Robinson
Wallace Brown	J. H. Jones	John C. Robinson
Dr. R. A. Byers	O. C. Jones	W. T. Rollo
Jas. C. Carter	R. T. Kirkman	A. W. Ross
V. O. Chandler	J. F. Ladd	Carl Scheben
Floyd Clark	Robert E. Lee	Carl Schneider
Roscoe Claxon	M. T. McCarthy	Ray O. Shehan
George S. Clay	T. B. McConnell	Dr. B. F. Shields
J. A. Coleman	J. L. McDermott	Chester D. Silvers
Roy Conway	Lloyd MacDonald	Bruce Sloan
Herbert Cook	W. F. McGary	H. C. Steely
Harry Davis	Elmer McGlothen	Dr. H. S. Swope
Sam Dever	John Marshall	W. R. Tapp
Stanley S. Dickson	Duke Mayfield	J. J. Thomas
George W. Dunlap	G. S. Milam	R. Van Bever, Jr.
Walter R. Fannin	W. H. Miller	Joseph L. Wall
James Garnett, Jr.	John B. Mollett	Henry Ward
G. W. Garrett	W. E. Mull	L. R. Wells
Ferd A. Gnau	Tyler Munford	W. G. Williams
Eugene Gough	Rodes K. Myers	Charles Wylie
Ben Grogan	J. C. Nickell	—83

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

A message was received from the Senate announcing that they had passed a bill which originated in that body, entitled:

S. B. 151. An Act to repeal, amend and re-enact Section 36, Chapter 65 of the 1934 Acts, providing that the sheriff shall receive ten per cent for collecting the first five thousand dollars and four per cent upon the residue, for collecting all school taxes and declaring an emergency.

Ordered that said bill be printed and referred to Committee on Rules.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 553. An Act to provide for the postponement of the rendition of judgment and the use of probation in criminal cases and empowering the Department of Public Welfare to appoint a director of probation and parole, and such probation and parole officers as are deemed necessary and defining their powers and duties; repealing page 148, Sections 1, 2, 3 and 4 of the Acts of the General Assembly of the Commonwealth of Kentucky for the year 1934, being Sections 979b-1, 979b-2, 979b-3 and 979b-4 of Baldwin's 1934 Edition of Carroll's Kentucky Statutes, and all other laws or parts of laws in conflict herewith.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. *Probation and Postponement of Rendition of Judgment.* The courts may place on probation any person before them charged with crime, except in cases where the jury has returned a verdict and found the accused guilty and fixed the penalty of the accused at life imprisonment or death. After conviction or plea of guilty, the court may postpone the rendition of judgment and may also place the defendant on probation, or may impose a fine and also place the defendant on probation.

§ 2. *Investigation.* When directed by the court the probation officer shall fully investigate and report to the court in writing the circumstances of the offense, criminal record, social history and present condition of defendant. No defendant charged with a felony, and, unless the court shall direct otherwise in individual cases, no other defendant shall be placed on probation or released under the postponement of rendition of judgment until the report of such investigation shall have been presented to and considered by the court. Whenever practicable, such investigation shall include physical and mental examinations of the defendant. If such defendant is committed to an institution, a copy of the report of such investigation shall be sent to the institution at the time of commitment.

§ 3. *Conditions of Probation.* The court shall debtermine and may at any time modify the conditions of probation and may include among them the following, or any other: That the Probationer shall:

(a) avoid injurious or vicious habits;

(b) avoid persons or places of disreputable or harmful character;

(c) report to the probation officer as directed;

(d) permit the probation officer to visit him at his home or elsewhere;

(e) work faithfully at suitable employment as far as possible;

(f) remain within a specified place;

(g) pay a fine in one or several sums as directed by the court;

(h) make reparation or restitution to the aggrieved party for the damage or loss caused by his offense, in an amount to be determined by the court;

(i) support his dependents.

§ 4. *Termination of Probation, Arrest, Subsequent Disposition.* The period of probation or postponement of rendition of judgment shall be determined by the court and may be continued or extended. Upon the satisfactory fulfillment of the conditions of probation or postponement of rendition of judgment, the court shall by order duly entered discharge the defendant. At any time during the period of probation or postponement of judgment, the court may issue a warrant and cause the defendant to be arrested for violating any of the conditions or probation or postponement of rendition of judgment. Any probation officer, police officer or other officer with power of arrest, upon the request of the probation officer, may arrest a probationer without a warrant. In case of an arrest without a warrant the arresting officer shall have a written statement by said probation officer setting forth that the probationer has, in his judgment, violated the conditions of probation and said statement shall be sufficient warrant for the detention of said probationer in the county jail, or other appropriate place of detention, until such probationer shall be brought before the Court. Such probation officer shall forthwith report such arrest and detention to the court and submit in writing a report showing in what manner the probationer has violated probation. Thereupon the court, after a hearing, may revoke the probation or postponement of rendition of judgment and shall proceed to deal with the case as if

there had been no probation or postponement of rendition of judgment.

§ 5. *Appointment of the Director of Probation and Parole; Duties.* The Department of Public Welfare shall appoint a Director of Probation and Parole, who shall receive a salary to be fixed by the Department of Public Welfare, and who shall give his entire time to the work. The Director of Prohibition and Parole shall appoint, subject to the approval of the Department of Public Welfare, such probation and parole officers as are required for service in the courts, other than juvenile courts, and for the supervision of persons paroled from the institutions under the control of the Department of Public Welfare. The Director shall from time to time conduct competitive examinations to establish lists of persons eligible for appointment as probation and parole officers. He shall prescribe qualifications for entrance into such examinations and the eligibility of candidates for appointment. No person shall be appointed under this Act as probation or parole officer who has not been certified by the Director of Probation and Parole as eligible in pursuance of such rules and examinations. The Director of Probation and Parole shall supervise the work of the Probation and Parole Officers appointed under this Act. He shall keep informed of the work of all probation and parole officers; he shall inspect the work of such officers and shall have access to their records; he shall make an annual written report with statistical and other information to the Department of Public Welfare; he shall compile and publish annually a list of the probation and parole officers of the State. He shall require reports of their work at regular intervals from probation and parole officers and juvenile courts; shall prescribe the form of records and reports to be used by probation and parole officers; shall consult and cooperate with the courts and institutions in the development of methods and procedure in the administra-

tion of probation and parole; and shall arrange conferences of probation and parole officers and judges.

§ 6. *Assignment and Compensation of Probation and Parole Officers.* Probation and parole officers appointed under this Act shall be assigned to serve in such courts or districts as the Director of Probation and Parole may determine. They shall be paid such salaries as the Department of Public Welfare may prescribe and may also be paid traveling and other necessary expenses incurred in the performance of their duties.

§ 7. *Duties and Powers of Probation and Parole Officers.* A probation or parole officer shall investigate all cases referred to him for investigation by any court or by the Department of Public Welfare, and shall report in writing thereon. He shall furnish to each person released on probation or parole under his supervision a written statement of the conditions of probation or parole and shall instruct him regarding the same. Such officer shall keep informed concerning the conduct and condition of each person on probation or parole under his supervision by visiting, requiring reports and in other ways and shall report thereon in writing as often as the court or Department of Public Welfare may require. Such officer shall use all practicable and suitable methods, not inconsistent with the conditions imposed by the court, or Department of Public Welfare, to aid and encourage persons on probation or parole and to bring about improvement in their conduct and condition. Such officer shall keep detailed records of his work; shall keep accurate and complete accounts of all moneys collected from persons under his supervision and shall keep or give receipts therefor; shall pay over all moneys collected from the defendant to the court having jurisdiction of a person on probation; and in the event that such money is collected in restriction, or for the support of neglected or abandoned dependents, such money shall be paid to the aggrieved, neglected or abandoned parties and receipts

therefor taken and filed in the records of the case; shall make such reports in writing to the Director of Probation and Parole as he may require; and shall perform such other duties as the Director of Probation and Parole may require. A probation or parole officer shall have, in the execution of his duties, the powers of arrest and the same right to execute process as is now given, or that may hereafter be given by law, to the sheriffs of this Commonwealth.

§ 8. *Protection of Records.* All information and data obtained in the discharge of official duty by any probation or parole officer shall be privileged information, shall not be received as evidence in any court, and shall not be disclosed directly or indirectly to any one other than to the Judge or to others entitled under this Act to receive reports, unless and until otherwise ordered by such Judge or the Department of Public Welfare.

§ 9. *Office Accommodations of Probation Officers.* The fiscal court in each county in which a probation officer serves shall provide in or near the Court House suitable office space for such officer.

§ 10. Page 148, Sections 1, 2, 3 and 4 of the Acts of the General Assembly of the Commonwealth of Kentucky for the year 1934, being Sections 979b-1, 979b-2, 979b-3, and 979b-4 of Baldwin's 1934 Edition of Carroll's Kentucky Statutes and all other laws or parts of laws in conflict herewith are hereby repealed.

Mr. Joe Robinson offered the following amendment to said bill, viz.:

Amend H. B. 553 by striking all of Section 1 following the word "judgment" in line 1, page 1 of the printed bill, and substituting therefore the following:

"Any Circuit Court or Quarterly Court of this Commonwealth, subject to the provisions and conditions hereinafter provided, may postpone the entering of judgment and the im-

posing of sentence and probate any person arraigned before it charged with crime. The Court shall have no power to postpone the entering of judgment or the imposing of sentence on any person who has been found guilty by verdict of the jury and whose punishment is fixed by the jury at life imprisonment or death. Except in the cases next hereinabove provided, the aforesaid Courts, after a plea of guilty or after the returning of a verdict of guilty by the jury, may postpone the entering of judgment and the sentencing of such defendant and place the defendant on probation, or may impose a fine and also place the defendant on probation."

Said amendment was agreed to.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

W. T. Baker	Sam Dever	Thomas W. Hines
Reuben J. Boling	Stanley S. Dickson	Price Holbrook
Ollie J. Bowen	George W. Dunlap	Clyde S. Howard
Wallace Brown	Howard G. Early	Ira W. Hulette
Jas. C. Carter	T. P. Fitzpatrick	John M. Hunnicut
V. O. Chandler	H. Myer Garner	J. H. Jones
Roscoe Claxon	G. W. Garrett	O. C. Jones
George S. Clay	Ferd A. Gnau	R. T. Kirkman
J. A. Coleman	Eugene Gough	J. F. Ladd
Roy Conway	C. L. Hammons	Leslie Larrimore
Herbert Cook	W. L. Hampton, Jr.	Robert E. Lee

T. B. McConnell	J. C. Ramey	Chester D. Silvers
J. L. McDermott	Hobart Rayburn	Bruce Sloan
W. F. McGary	Harry C. Records	H. C. Steely
Elmer McGlothen	L. K. Rice	Henry Stewart
C. S. Matherly	Wade H. Riley	Dr. H. S. Swope
D. T. Matlack	Joe E. Robinson	J. J. Thomas
Duke Mayfield	John C. Robinson	R. Van Bever, Jr.
G. S. Milam	W. T. Rollo	S. J. Wagner
W. H. Miller	A. W. Ross	Joseph L. Wall
John B. Mollett	Carl Scheben	Henry Ward
Rodes K. Myers	Carl Schneider	L. R. Wells
J. C. Nickell	Dr. B. F. Shields	W. G. Williams
Mel Petry	P. L. Sidebottom	Charles Wylie

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Those who voted in the negative were—

F. T. Allen	James Garnett, Jr.	Lloyd MacDonald
Walter R. Fannin	Jas. T. Hamilton	

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Resolved that the title thereof be as aforesaid.

Mr. Joe Robinson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 274. An Act providing for changing of registration day, etc.

Mr. Schneider moved that the consideration of said bill be postponed and that said bill retain its place in the Orders of the Day.

Said motion was agreed to.

A message was received from the Senate announcing that they had passed bills which originated in that body, entitled:

S. B. 193. An Act to repeal, amend, and re-enact Section 2985, Kentucky Statutes, concerning tax assessments in cities of the first class.

S. B. 194. An Act concerning entry by the assessor in cities of the first class upon his book of assessments, etc.

S. B. 195. An Act to relieve tax officials of cities of the first class against carrying uncollectible city tax bills on personal property, etc.

S. B. 196. An Act to repeal, amend and re-enact Section 3001 concerning tax collections.

S. B. 197. An Act concerning supervision of the plumbing departments of cities of the first class.

S. B. 198. An Act repealing Chapter 112 of the Acts of the General Assembly of 1912, etc., providing for pensions for policemen in cities of the first class.

S. B. 199. An Act providing for pensions for disabled firemen in cities of the first class.

S. B. 200. An Act to authorize compensation to members of the Board of Water Works in cities of the first class.

S. B. 201. An Act providing for the temporary commitment for care and observation of persons whose mental condition is so abnormal as to require their temporary commit-

ment for care and observation pending a determination whether or not they are insane.

S. B. 202. An Act concerning the cities of the first class and relating to ordinances, how passed, how amended.

Ordered that said bills be printed and referred to Committee on Rules.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 567. An Act relating to revenue and taxation; and repealing, amending and re-enacting Section 1 of Chapter 20 of the Acts of the General Assembly of the Commonwealth of Kentucky passed at the Extraordinary Session of the General Assembly, which was begun in the city of Frankfort, Kentucky, on Wednesday, May 9, 1934, and ended on Monday, July 2, 1934, and entitled: "An Act relating to revenue and taxation, repealing, amending and re-enacting Chapter 102 of the Acts of the General Assembly of 1934, defining motor vehicles classed as trucks; providing for registration fees of such motor vehicles, and declaring an emergency to exist."

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 1 of Chapter 20 of the Acts of the General Assembly of the Commonwealth of Kentucky, passed at the Extraordinary Session of the General Assembly, which was begun in the City of Frankfort, Kentucky, on Wednesday, May 9, 1934, and ended on Monday, July 2, 1934, be repealed, amended and re-enacted so that when said section is re-enacted it shall read as follows:

"That all motor vehicles, excluding such as are mentioned in subsection c of Section 2739g-2, Carroll's Kentucky Statutes, 1930 Edition, and excluding motor vehicles engaged in hauling passengers for hire, are classified as trucks and the annual registration fee shall be as follows:

"Those having a capacity of one thousand pounds or less, ten ($10.00) dollars; those having a capacity of more than one thousand pounds and up to two thousand pounds, twenty-two ($22.00) dollars; those having a capacity of more than two thousand pounds and up to three thousand pounds, forty ($40.00) dollars; those having a capacity of more than three thousand pounds and up to four thousand pounds, fifty-two ($52.00) dollars; those having a capacity of more than four thousand pounds and up to five thousand pounds, sixty-three ($63.00) dollars; those having a capacity of more than five thousand pounds and up to six thousand pounds, seventy-one ($71.00) dollars; those having a capacity of more than six thousand pounds and up to seven thousand pounds, ninety-three ($93.00) dollars; those having a capacity of more than seven thousand pounds and up to eight thousand pounds, one hundred and twelve ($112.00) dollars; those having a capacity of more than eight thousand pounds and up to nine thousand pounds, one hundred and thirty-eight ($138.00) dollars; those having a capacity of more than nine thousand pounds and up to ten thousand pounds, one hundred and eighty-seven ($187.00) dollars; those having a capacity of more than ten thousand pounds, two hundred and thirty ($230.00) dollars; and twenty-five ($25.00) dollars for each additional ton or fraction of a ton in excess of ten thousand pounds. The applicant for license for a motor truck shall state in his application the capacity of the truck.

"Providing that any person who applies for the registration of a truck having a capacity of three thousand pounds or less, in addition to the requirements to secure registration for said truck, files with the county court clerk an affidavit stating

that he is a farmer solely engaged in the production of crops, livestock or dairy products, and that he owns a truck of the capacity of three thousand pounds or less, and that he has caused to be printed upon each side of the bed of said truck the words 'FARMER'S TRUCK', in red letters not less than three (3) inches in height, and that said truck for the next twelve months shall not be used in the transportation of anything for hire but is to be used only in transporting persons, food, provender, feed and machinery used in operating his said farm and the products grown upon said farm, and for no other purpose; then, in that event said person shall be permitted to register said truck and shall be charged therefor only four dollars and fifty cents ($4.50).

"All acts and parts of acts in conflict herewith are hereby repealed."

Mr. Riley offered the following amendment to said bill, viz.:

Amend H. B. 567 by adding thereto Section 2 in words and figures as follows: "That if the proviso in this Act shall be held unconstitutional or invalid, it shall not affect any of the remaining part of said section; that it is the intention of the General Assembly that the remaining part of said section shall be held in full force and effect, regardless of the proviso contained therein."

Said amendment was agreed to.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

C. W. Anderson, Jr.	Ben Grogan	Russell O'Neill
H. T. Baker	Jas. T. Hamilton	A. W. Pfeiffer
W. T. Baker	C. L. Hammons	J. C. Ramey
G. M. Ballard	W. L. Hampton, Jr.	Hobart Rayburn
B. F. Bedford	Thomas W. Hines	L. K. Rice
Reuben J. Boling	Clyde S. Howard	Wade H. Riley
Ollie J. Bowen	Ira W. Hulette	Joe E. Robinson
Wallace Brown	John M. Hunnicut	John C. Robinson
Dr. R. A. Byers	J. H. Jones	A. W. Ross
Jas. C. Carter	O. C. Jones	Carl Scheben
V. O. Chandler	R. T. Kirkman	Carl Schneider
Floyd Clark	J. F. Ladd	Ray O. Shehan
Roscoe Claxon	Leslie Larrimore	Dr. B. F. Shields
George S. Clay	Robert E. Lee	P. L. Sidebottom
J. A. Coleman	M. T. McCarthy	Chester D. Silvers
Herbert Cook	T. B. McConnell	H. C. Steely
Sam Dever	Lloyd MacDonald	Henry Stewart
Stanley S. Dickson	W. F. McGary	Dr. H. S. Swope
George W. Dunlap	Elmer McGlothen	W. R. Tapp
Howard G. Early	C. S. Matherly	J. J. Thomas
Walter R. Fannin	D. T. Matlack	R. Van Bever, Jr.
Chas. P. Farnsley	Duke Mayfield	Joseph L. Wall
T. P. Fitzpatrick	G. S. Milam	Henry Ward
H. Myer Garner	W. H. Miller	L. R. Wells
James Garnett, Jr.	John B. Mollett	W. G. Williams
G. W. Garrett	Tyler Munford	Charles Wylie
Ferd A. Gnau	Rodes K. Myers	
Eugene Gough	J. C. Nickell	

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There voted in the negative—

Roy Conway

—1

Resolved that the title thereof be as aforesaid.

Mr. Riley moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 305. An Act to provide for the safety of persons employed in and about coal mines, and to provide for the examination of persons seeking employment therein in order that only competent persons may be employed as miners, and to create a board of examiners for this purpose and to provide a penalty for a violation of the same, and appropriating certain funds to pay the salary and expenses of such board.

With Committee amendments thereto.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That hereafter no person shall be employed or engaged as a coal miner in this State without having first obtained a certificate of competency and qualification so to do from the Miners Examining Board of this State, created by this Act.

§ 2. Within thirty days after this Act become effective the Governor of Kentucky shall appoint a Miners Examining Board to consist of two practical coal miners, who have had not less than ten years' practical experience as coal miners, and one coal operator who has had not less than ten years' practical experience in the operating of coal mine or mines; said board to serve for a period of two years, and until their successors have been appointed and qualified. Any vacancy

occurring on said board may be filled by appointment by the Governor.

§ 3. The board shall meet immediately after appointment and organize by electing one of their number president, one secretary and one treasurer, provided that the same member may serve as both secretary and treasurer. Each member shall qualify within ten days after appointment by taking the oath or affirmation before some qualified officer, that he will faithfully, honestly and impartially discharge his official duties; which oath shall be filed with the Auditor of the State. The member being chosen as treasurer shall qualify by filing bond with the Auditor of the State in the penal sum of one thousand ($1,000.00) dollars, which bond shall be approved by the said Auditor.

§ 4. Members of said board shall receive as compensation for their services ten ($10.00) dollars per day for each and every day actually engaged in their official duties, and all legitimate and necessary expenses incurred in attending the meetings of said board, which sum shall be paid by the State Treasurer. Said board shall hold an examination once in each calendar month in at least six places located most conveniently with reference to the district in which coal is mined in this State, so that all persons in such district or in this State or who may wish to come into this State for the purpose of mining coal may be examined as to their competency and qualification as coal miners. Public notice of said examination shall be given through the press or otherwise in the discretion of the board, not less than seven days in advance of such meeting, which notice shall fix the time and place at which any examination under this Act is to be held.

§ 5. Each applicant who has had two years experience in coal mining in Kentucky prior to the passage of this Act, or who is engaged in coal mining in Kentucky at the time of the passage of this Act shall not be required to take an examination but may obtain a certificate by furnishing the Miners

Examining Board of Kentucky either by affidavit of said applicant, or by oral testimony under oath. In each case, the proof of the applicant must be corroborated by at least one competent witness. Such applicant shall pay a fee of fifty cents along with his application for miner's certificate.

All other applicants shall appear and be examined as heretofore provided for by this Act, and shall pay a fee of two ($2.00) dollars along with application for certificate.

Fees collected during each month shall, before the tenth of each following month, be paid by the board to the State Treasurer and converted into the general fund, accompanied by a report from the treasurer of said board showing where and from whom such fees are collected.

§ 6. All examinations held by said Miners Examining Board shall be conducted in the English language and shall be of a practical nature so as to determine the competency and qualification of the applicant to engage in the business of mining coal. Said board shall examine under oath, except as hereinafter provided, all persons who apply for certificates, as to their previous experience as coal miners and shall grant certificates of competency and qualification to only those persons who, in the judgment of the board, are qualified to engage in the occupation of coal mining, which certificates shall entitle the holder thereof to be employed as, and to do the work of, a coal miner in this State. No certificate of competency shall issue, except as hereinafter provided, or be given to any person under this Act unless he shall produce evidence of having had not less than two years' practical experience as a coal miner, and in no case shall an applicant be deemed competent, except as hereinafter provided, unless he appears in person before said board and orally answers intelligently and correctly at least twelve practical questions propounded to him by said board pertaining to his qualifications as a practical miner. The board shall keep an accurate record of its proceedings and meetings and in said record shall show a correct

detailed account at the examination of each applicant with questions asked and the answers thereto, and at each of its meetings the board shall keep said record open for inspection. No miner's certificate granted under the provisions of this Act shall be transferable and any effort to transfer the same shall be deemed a violation of this Act. Such certificate shall be issued only at meetings of said board and said certificates shall not be legal unless signed by at least two members of said board and sealed with the seal of the board issuing such certificate.

§ 7. Said board shall, annually, on the first day of June, report to the Governor in writing what examinations it has held and what work it has done during the preceding year, with such recommendations as it may deem advisable for the improvement of the methods of holding examinations and carrying out the purpose of this Act.

§ 8. No person shall hereafter engage as a coal miner in any coal mine in this State without having obtained a certificate of qualification as provided for in this Act, nor shall any person, firm or corporation employ as a miner in his, their or its mine, any person who does not hold such certificate, nor shall any mine foreman, overseer or superintendent permit or suffer any person to be employed under him or in any mine under his charge or supervision as a miner in any mine in this State, except as herein provided, who does not hold such certificate of qualification. Any person, firm or corporation who shall violate or fail to comply with the provisions of this Act, shall be deemed guilty of a misdemeanor and on conviction thereof shall be fined in any sum not more than five hundred ($500.00) dollars, or shall be imprisoned in the county jail for a term not to exceed six months, at the discretion of the court.

§ 9. It shall be the duty of said Miners Examining Board to report all complaints or charges of non-compliance with or violation of the provisions of this Act to the Common-

wealth's Attorney of the district in which such non-compliance or violation occurs, and it shall be the duty of the Commonwealth's Attorney in the district wherein the complaint or charges are made to investigate the same and prosecute all persons, firms or corporations so offending.

§ 10. In order to more effectively carry out the intentions and purposes of this Act, the Miners Examining Board shall have power to administer oaths to any and all persons who may vouch in any manner for the service or qualification of any applicant in order to obtain for him a certificate hereunder and any person who shall willfully swear or falsely testify as to any matter material to such examination or as to the service or qualification of any applicant, shall be deemed guilty of false swearing and shall be subject to the penalties now provided by law for false swearing.

§ 11. The secretary of the board shall prepare such forms as are necessary for certificates of qualification and such other forms and blanks as shall be necessary to effectively carry into effect this Act, which forms shall be approved by said board. Said board shall also have the power to adopt rules and regulations not inconsistent with this Act for carrying out the provisions of this Act.

§ 12. There is hereby appropriated the sum of six thousand ($6,000.00) dollars out of the general revenues of the State not otherwise appropriated, for the purpose of paying the salaries and legitimate expenses of the members of the board and the Auditor of the State is hereby authorized to draw his warrant upon the State Treasurer for such other sums from time to time as may be necessary to pay the salaries and legitimate expenses of said board in the performance of their duties under this Act.

§ 13. The Governor shall have power and authority to remove any of the members of said board for neglect of duty, incompetency, or malfeasance in office, and upon such removal

shall have power to appoint a successor to the member or members so removed.

Said amendments as offered by the Committee, are as follows, viz.:

1. Amend H. B. 305 by striking from lines 7, 9 and 10, Section 3, page 2 of the printed bill, the word "Auditor" and substituting in lieu thereof the word "Secretary" and, by striking from lines 9 and 10, Section 3, page 2 of the printed bill, the words and figures "one thousand ($1,000.00) dollars" and substituting in lieu thereof the words and figures "five thousand ($5,000.00) dollars".

2. Amend H. B. 305 by adding after the word "Treasurer" in line 5, Section 4 of the printed bill, the following: "out of the funds paid into the State Treasury and made available therefor under the provisions of this Act."

3. Amend H. B. 305 by adding after the word "oath" in line 6, Section 5, page 3 of the printed bill, the following: "proof that the applicant has had two years experience in coal mining in Kentucky prior to the passage of this Act, or that the applicant was engaged in coal mining in Kentucky at the time of the passage of this Act. Persons on strike or locked out by employer at the time this act becomes effective shall be considered as engaged in coal mining under the terms of this Act.

Further amend H. B. 305 by striking from line 15, Section 5, page 3 of the printed bill, the words "the general fund" and substituting in lieu thereof the following "a special fund to be designated and known as The Miners Examining Board Fund".

4. Amend H. B. 305 by striking from line 15, Section 6, page 3 of the printed bill, the word "hereinafter" and substituting in lieu thereof the word "hereinabove".

5. Amend H. B. 305 by striking therefrom all of Section 12, page 5 of the printed bill, and substituting in lieu thereof the following:

"There is hereby appropriated for the payment of the per diem and other expenses of the Miners Examining Board, including printing and advertising, all of the fees collected by the Board under the provisions of this Act, and the Auditor of Public Accounts is hereby authorized to draw his warrant upon the State Treasury for the per diem and expenses of said Board as hereinabove provided, upon proper certification thereof by said Board and said warrant shall be charged to the aforesaid Special Fund and paid out of said fund by the State Treasurer."

6. Amend H. B. 305 by striking therefrom all of Section 13, page 6 of the printed bill.

7. Amend the title to H. B. 305 by striking therefrom said title in its entirety and substituting in lieu thereof the following title:

"An Act relating to mines and mining; providing for the qualifications of persons to be employed in and about coal mines; providing for the examination of persons desiring such employment; creating a Board of Examiners and prescribing the powers and duties of said board, imposing certain fees and appropriating same for the expenses and costs authorized by the Act, and providing penalties for violations of the Act."

Amendments Nos. 1, 2, 3, 4, 5 and 6 were each and severally agreed to.

Dr. Shields moved that the House do now recess until one-forty-five o'clock P. M.

Said motion was agreed to.

And then the House recessed.

AFTERNOON SESSION

The hour of one-forty-five o'clock P. M. having arrived, the Speaker resumed the Chair and called the House to order.

The House resumed consideration of the unfinished business, to wit: a bill entitled:

H. B. 305. (For title see Journal of today ante.)

With Committee amendments thereto adopted by the House.

(For amendments see Journal of today ante.)

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, and the same being engrossed, said bill was read the third time by its title only and rejected.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	W. L. Hampton, Jr.	Russell O'Neill
Dr. R. A. Byers	Thomas W. Hines	Mel Petry
George S. Clay	John M. Hunnicut	A. W. Pfeiffer
Roy Conway	Ben W. Johnson	L. K. Rice
Stanley S. Dickson	M. T. McCarthy	A. W. Ross
Clarence E. Evans	T. B. McConnell	P. L. Sidebottom
James Garnett, Jr.	Duke Mayfield	W. R. Tapp
G. W. Garrett	John B. Mollett	J. J. Thomas
Ferd A. Gnau	Tyler Munford	Joseph L. Wall
Eugene Gough	Rodes K. Myers	Henry Ward

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Those who voted in the negative were—

F. T. Allen	H. Myer Garner	J. C. Nickell
C. W. Anderson, Jr.	Ben Grogan	J. C. Ramey
W. T. Baker	Jas. T. Hamilton	Hobart Rayburn
G. M. Ballard	C. L. Hammons	Wade H. Riley
B. F. Bedford	Price Holbrook	Joe E. Robinson
Reuben J. Boling	Ira W. Hulette	John C. Robinson
Ollie J. Bowen	J. H. Jones	Carl Schneider
V. O. Chandler	O. C. Jones	Ray O. Shehan
Roscoe Claxon	R. T. Kirkman	Chester D. Silvers
J. A. Coleman	J. F. Ladd	H. C. Steely
Harry Davis	Leslie Larrimore	Henry Stewart
Sam Dever	Robert E. Lee	Dr. H. S. Swope
Howard G. Early	Elmer McGlothen	R. Van Bever, Jr.
Walter R. Fannin	D. T. Matlack	W. G. Williams
Chas. P. Farnsley	W. H. Miller	Charles Wylie

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Mr. Hammons moved that the vote by which said bill was rejected be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a resolution entitled:

HOUSE RESOLUTION

H. Res. 26. Resolution appropriating $296.81 to Hazel Duncan for services rendered McCreary County Board of Education.

Said resolution is as follows, viz.:

Whereas, Hazel Duncan was employed by the McCreary County Board of Education to teach in the Worley school for a term of seven months during the school year 1933-34 at a salary of forty-two and 41/100 ($42.41) dollars per month; and

Whereas, Several teachers had declined nomination to the school because of its inaccessibility and the fact that the high cost of board and transportation would practically consume the ridiculously low salary, and said Hazel Duncan could board with an uncle for a nominal sum; and

Whereas, Said Hazel Duncan taught under such employment for the period of seven months with the understanding that her certificate issued for teaching in the public schools of Tennessee would be validated for teaching in Kentucky; and

Whereas, Said Hazel Duncan rendered capable, efficient, and satisfactory services in aforesaid school under conditions which rendered it practically impossible to replace her, but because of the fact that a technicality in the certification law prevented the validation of her certificate is unable to draw her salary therefor: Now, Therefore,

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

That there is hereby appropriated from the general expenditure fund of the Commonwealth the sum of two hundred ninety-six and 81/100 ($296.81) dollars, to be paid to Miss Hazel Duncan for services rendered to the McCreary County Board of Education in the Worley school of McCreary County, Kentucky, as teacher for seven months in 1933-34.

All laws or parts of laws in conflict herewith are hereby repealed.

Ordered, that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Jas. T. Hamilton	L. K. Rice
W. T. Baker	C. L. Hammons	Wade H. Riley
G. M. Ballard	W. L. Hampton, Jr.	John C. Robinson
B. F. Bedford	Thomas W. Hines	W. T. Rollo
Reuben J. Boling	Clyde S. Howard	A. W. Ross
Ollie J. Bowen	Ira W. Hulette	Carl Scheben
Wallace Brown	R. T. Kirkman	Ray O. Shehan
Dr. R. A. Byers	J. F. Ladd	Dr. B. F. Shields
V. O. Chandler	Leslie Larrimore	P. L. Sidebottom
Floyd Clark	Robert E. Lee	Chester D. Silvers
J. A. Coleman	T. B. McConnell	H. C. Steely
Roy Conway	W. F. McGary	Henry Stewart
Sam Dever	Elmer McGlothen	Dr. H. S. Swope
Stanley S. Dickson	Duke Mayfield	W. R. Tapp
George W. Dunlap	G. S. Milam	J. J. Thomas
Clarence E. Evans	W. H. Miller	Joseph L. Wall
Walter R. Fannin	Tyler Munford	Henry Ward
T. P. Fitzpatrick	Rodes K. Myers	L. R. Wells
H. Myer Garner	Russell O'Neill	W. G. Williams
G. W. Garrett	A. W. Pfeiffer	Charles Wylie
Eugene Gough	J. C. Ramey	
Ben Grogan	Hobart Rayburn	—64

Those who voted in the negative were—

Roscoe Claxon	D. T. Matlack	R. Van Bever, Jr.
J. H. Jones	John B. Mollett	
M. T. McCarthy	Mel Petry	—7

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a resolution entitled:

H. Res. 27. Resolution appropriating $184.00 to Georgia Taylor for services rendered Wayne County Board of Education.

Said resolution is as follows, viz.:

Whereas, Georgia Taylor, of Monticello, Wayne County, Kentucky, was employed by the Wayne County Board of Education to teach in the Common Schools of Wayne County, Kentucky, for a period of seven months during the school year of 1929-30; and

Whereas, Said Georgia Taylor taught under such employment for the period of three months and two weeks, with the understanding that a certificate was to be issued to her by the Eastern State Teachers College; and

Whereas, Because of a misunderstanding as to credits allowed for correspondence work no certificate was issued to her by said school; whereupon she was relieved of further duty by the county superintendent of Wayne County Schools without payment of one hundred eighty-four ($184.00) dollars due her for the services; and

Whereas, Said Georgia Taylor rendered capable, efficient, and satisfactory services as teacher in aforesaid county, but because of the fact that no certificate was granted to her as expected is unable to draw a salary therefor: Now, Therefore,

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

That there is hereby appropriated out of the general expenditure fund of the Commonwealth the sum of one hundred eighty-four ($184.00) dollars, to be paid to Miss Georgia Tay-

lor for services rendered to the Wayne County Board of Education in the school year 1929-30.

All laws or parts of laws in conflict herewith are hereby repealed.

Ordered, that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker
W. T. Baker
G. M. Ballard
B. F. Bedford
Reuben J. Boling
Ollie J. Bowen
Wallace Brown
Dr. R. A. Byers
V. O. Chandler
Floyd Clark
J. A. Coleman
Roy Conway
Sam Dever
Stanley S. Dickson
George W. Dunlap
Clarence E. Evans
Walter R. Fannin
T. P. Fitzpatrick
H. Myer Garner
G. W. Garrett
Eugene Gough
Ben Grogan
Jas. T. Hamilton
C. L. Hammons
W. L. Hampton, Jr.
Thomas W. Hines
Clyde S. Howard
Ira W. Hulette
R. T. Kirkman
J. F. Ladd
Leslie Larrimore
Robert E. Lee
T. B. McConnell
W. F. McGary
Elmer McGlothen
Duke Mayfield
G. S. Milam
W. H. Miller
Tyler Munford
Rodes K. Myers
Russell O'Neill
A. W. Pfeiffer
J. C. Ramey
Hobart Rayburn
L. K. Rice
Wade H. Riley
John C. Robinson
W. T. Rollo
A. W. Ross
Carl Scheben
Ray O. Shehan
Dr. B. F. Shields
P. L. Sidebottom
Chester D. Silvers
H. C. Steely
Henry Stewart
Dr. H. S. Swope
W. R. Tapp
J. J. Thomas
Joseph L. Wall
Henry Ward
L. R. Wells
W. G. Williams
Charles Wylie

—64

Those who voted in the negative were—

Roscoe Claxon	D. T. Matlack	R. Van Bever, Jr.
J. H. Jones	John B. Mollett	
M. T. McCarthy	Mel Petry	—7

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a resolution entitled:

H. Res. 28. Resolution appropriating $124.38 to Owen D. Anderson for services rendered McCreary County Board of Education.

Said resolution is as follows, viz.:

Whereas, Owen Donald Anderson of Stearns, McCreary County, Kentucky, was employed by the McCreary County Board of Education to teach in the White Oak Junction school for a term of seven months during the school year 1933-34 at a salary of forty-nine and 75/100 ($49.75) dollars per month; and

Whereas, Said Owen Donald Anderson taught under such employment for the period of five months and two weeks with the understanding that a certificate was to be issued to him by the Division of Certification of the State Department of Education on work done in Berea College; and

Whereas, Because of a misunderstanding as to credits required in professional subjects no certificate was issued to him by said agency, whereupon he was relieved of further duty by the Board of Education of McCreary County without

payment of his salary for the period of two months and two weeks; and

Whereas, Said Owen Donald Anderson rendered capable, efficient, and satisfactory services as teacher in aforesaid school, but because of the fact that no certificate was granted to him as expected is unable to draw a salary therefor: Now, Therefore,

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

That there is hereby appropriated out of the general expenditure fund of the Commonwealth the sum of one hundred twenty-four and 38/100 ($124.38) dollars, to be paid to Owen Donald Anderson for services rendered in the White Oak Junction school of McCreary County, Kentucky, as teacher for months and two weeks in 1933-34.

All laws or parts of laws in conflict herewith are hereby repealed.

Ordered, that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	Dr. R. A. Byers	George W. Dunlap
W. T. Baker	V. O. Chandler	Clarence E. Evans
G. M. Ballard	Floyd Clark	Walter R. Fannin
B. F. Bedford	J. A. Coleman	T. P. Fitzpatrick
Reuben J. Boling	Roy Conway	H. Myer Garner
Ollie J. Bowen	Sam Dever	G. W. Garrett
Wallace Brown	Stanley S. Dickson	Eugene Gough

Ben Grogan	G. S. Milam	Dr. B. F. Shields
Jas. T. Hamilton	W. H. Miller	P. L. Sidebottom
C. L. Hammons	Tyler Munford	Chester D. Silvers
W. L. Hampton, Jr.	Rodes K. Myers	H. C. Steely
Thomas W. Hines	Russell O'Neill	Henry Stewart
Clyde S. Howard	A. W. Pfeiffer	Dr. H. S. Swope
Ira. W. Hulette	J. C. Ramey	W. R. Tapp
R. T. Kirkman	Hobart Rayburn	J. J. Thomas
J. F. Ladd	L. K. Rice	Joseph L. Wall
Leslie Larrimore	Wade H. Riley	Henry Ward
Robert E. Lee	John C. Robinson	L. R. Wells
T. B. McConnell	W. T. Rollo	W. G. Williams
W. F. McGary	A. W. Ross	Charles Wylie
Elmer McGlothen	Carl Scheben	
Duke Mayfield	Ray O. Shehan	—64

Those who voted in the negative were—

Roscoe Claxon	D. T. Matlack	R. Van Bever, Jr.
J. H. Jones	John B. Mollett	
M. T. McCarthy	Mel Petry	—7

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the following bills were introduced, ordered printed and referred as follows, viz.:

By Mr. Hines:

H. B. 635. An Act establishing as a part of the primary system of State highways of the Commonwealth of Kentucky,

a road running from Highway No. 71 at Lum Cole place in Butler County thence via Guy, Kentucky, in Warren County to Mouth of Gasper road in Warren County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is hereby established as a part of the primary system of State highways of the Commonwealth of Kentucky, a road leading from Highway No. 71 at Lum Cole place in Butler County thence via Guy, Kentucky, in Warren County to Mouth Gasper road in Warren County, Kentucky.

Said road thus established as part of the primary roads of this Commonwealth shall be entitled to all privileges, benefits and conditions now given by any Act or law to the primary roads of this Commonwealth.

By Mr. Grogan:

H. B. 636. An Act requiring the State Board of Education to provide a course of study and instruction, as to the nature and effect upon the human system of alcoholic beverages and other narcotics, in public elementary and secondary schools conducted in Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That it shall be the duty of the State Board of Education to provide in the course of study in all public elementary and secondary schools conducted in Kentucky instruction to the pupils of said schools as to the nature and effects of alcoholic beverages and other narcotics upon the human system; and that regular course in said subject shall be taught to all pupils studying physiology and hygiene in said schools;

and that the Superintendent, Principal and/or other teacher in charge of school assembly programs in all the said schools shall provide at least two fixed periods each term or semester during the school year at which the scientific, sociological and moral aspect of the said nature and effects of alcoholic beverages and other narcotics shall be presented to the entire school body.

By Mr. Garner:

H. B. 637. An Act to add to the state primary system a road leading from Yosemite via Grove Ridge and King's Mountain to Route 27 in Lincoln County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there be added to the state primary system a road leading from Yosemite via Grove Ridge and King's Mountain to Route 27 in Lincoln County.

By Mr. Garner:

H. B. 638. An Act to add to the state primary system a road leading from Phil via Evona and Jennie's chapel to a point near Old Engle on Highway No. 80 in Casey County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there be added to the state primary system a road leading from Phil via Evona and Jennie's Chapel to a point near Old Engle on Highway No. 80 in Casey County.

To Committee on Rules.

A message was received from the Senate, announcing

that they had passed bills and resolutions which originated in the Senate, entitled:

S. B. 148. An Act to amend, repeal, and re-enact Chapter 162 of the Acts of the regular session of the General Assembly of Kentucky of 1934 relating to the primary roads.

S. B. 176. An Act relating to the Primary System of Roads and Highways.

S. B. 185. An Act relating to the Primary System of Roads and Highways.

S. B. 167. An Act relating to the Primary System of Roads and Highways.

S. B. 168. An Act relating to the Primary System of Roads and Highways.

S. B. 183. An Act relating to the Primary System of Roads and Highways.

S. B. 180. An Act relating to the Primary System of Roads and Highways.

S. B. 170. An Act relating to the Primary System of Roads and Highways.

S. B. 178. An Act relating to the Primary System of Roads and Highways.

S. B. 164. An Act relating to the Primary System of Roads and Highways.

S. B. 152. An Act relating to the Primary System of Roads and Highways.

S. B. 162. An Act relating to the Primary System of Roads and Highways.

S. B. 177. An Act relating to the Primary System of Roads and Highways.

S. B. 161. An Act relating to the Primary System of Roads and Highways.

S. B. 188. An Act relating to the Primary System of Roads and Highways.

S. B. 190. An Act relating to the Primary System of Roads and Highways.

S. B. 187. An Act relating to the Primary System of Roads and Highways.

S. B. 175. An Act relating to the Primary System of Roads and Highways.

S. B. 204. An Act relating to the Primary System of Roads and Highways.

S. B. 256. An Act relating to the Primary System of Roads and Highways.

S. B. 255. An Act relating to the Primary System of Roads and Highways.

S. B. 261. An Act relating to the Primary System of Roads and Highways.

S. B. 243. An Act relating to the Primary System of Roads and Highways.

S. B. 206. An Act relating to the Primary System of Roads and Highways.

S. B. 231. An Act relating to the Primary System of Roads and Highways.

S. B. 238. An Act relating to the Primary System of Roads and Highways.

S. B. 239. An Act relating to the Primary System of Roads and Highways.

S. B. 240. An Act relating to the Primary System of Roads and Highways.

S. B. 205. An Act relating to the Primary System of Roads and Highways.

S. B. 314. An Act to amend, repeal and re-enact Section 1991, Kentucky Statutes, 1935 Baldwin's Supplement, relating to the per diem of officers and employees of the General Assembly.

S. Res. 36. Resolution authorizing Malinda Saylor to file suit against the Commonwealth.

S. Res. 33. Resolution authorizing William Cox to sue the Commonwealth.

S. Res. 35. Resolution authorizing Floyd Carnes to sue the Commonwealth.

S. Res. 40. Resolution authorizing Mrs. Alice Maher to sue the Commonwealth.

S. Res. 46. Resolution authorizing Wm. C. Wells and Mary Helen Wells to sue the Commonwealth.

S. Res. 44. Resolution authorizing Jas. Lewis, an infant by his next friend, to sue the Commonwealth.

Ordered that said bills and resolutions be printed and referred to Committee on Rules.

And that they had passed bills which originated in this House, entitled:

H. B. 25. An Act relating to the Primary Roads.

H. B. 28. An Act relating to Primary Roads.

H. B. 29. An Act relating to Primary Roads.

H. B. 47. An Act relating to Primary Roads.

H. B. 53. An Act relating to Primary Roads.

H. B. 61. An Act relating to Primary Roads.

H. B. 63. An Act relating to Primary Roads.

H. B. 66. An Act relating to Primary Roads.

H. B. 67. An Act relating to Primary Roads.

H. B. 76. An Act relating to Primary Roads.

H. B. 80. An Act relating to Primary Roads.

H. B. 81. An Act relating to Primary Roads.

H. B. 82. An Act relating to Primary Roads.

H. B. 85. An Act relating to Primary Roads.

H. B. 86. An Act relating to Primary Roads.

H. B. 87. An Act relating to Primary Roads.

H. B. 88. An Act relating to Primary Roads.

H. B. 89. An Act relating to Primary Roads.

H. B. 92. An Act relating to Primary Roads.

H. B. 93. An Act relating to Primary Roads.

H. B. 94. An Act relating to Primary Roads.

H. B. 97. An Act relating to Primary Roads.

H. B. 98. An Act relating to Primary Roads.

H. B. 99. An Act relating to Primary Roads.

H. B. 100. An Act relating to Primary Roads.

H. B. 102. An Act relating to Primary Roads.

H. B. 103. An Act relating to Primary Roads.

H. B. 104. An Act relating to Primary Roads.

H. B. 112. An Act relating to Primary Roads.

H. B. 123. An Act relating to Primary Roads.

H. B. 125. An Act relating to Primary Roads.

H. B. 126. An Act relating to Primary Roads.

H. B. 127. An Act relating to Primary Roads.

H. B. 131. An Act relating to Primary Roads.

H. B. 132. An Act relating to Primary Roads.

H. B. 133. An Act relating to Primary Roads.

H. B. 134. An Act relating to Primary Roads.

H. B. 135. An Act relating to Primary Roads.

H. B. 136. An Act relating to Primary Roads.

H. B. 138. An Act relating to Primary Roads.

H. B. 139. An Act relating to Primary Roads.

H. B. 143. An Act relating to Primary Roads.

H. B. 145. An Act relating to Primary Roads.

H. B. 151. An Act relating to Primary Roads.

H. B. 154. An Act relating to Primary Roads.

H. B. 155. An Act relating to Primary Roads.

H. B. 157. An Act relating to Primary Roads.

H. B. 170. An Act relating to Primary Roads

H. B. 178. An Act relating to Primary Roads.

H. B. 179. An Act relating to Primary Roads.

H. B. 180. An Act relating to Primary Roads.

H. B. 181. An Act relating to Primary Roads.

H. B. 182. An Act relating to Primary Roads.

H. B. 191. An Act relating to Primary Roads.

H. B. 192. An Act relating to Primary Roads.

H. B. 193. An Act relating to Primary Roads.

H. B. 194. An Act relating to Primary Roads.

Ordered that said bills be delivered to the Enrolling Clerk of this House.

The House took up for consideration from the Orders of the Day, a resolution entitled:

S. Res. 10. Joint Resolution expressing assent of the Legislature of the State of Kentucky to the provisions and purposes of the Act approved June 29, 1935 (Public—No. 182—74th Congress).

Said resolution is as follows, viz.:

Whereas, There has been enacted by the Senate and House of Representatives of the United States of America in Congress assembled, An Act to provide for research into basic laws and principles relating to agriculture and to provide for the further development of cooperative agriculture extension work and the more complete endowment and support of land-grant colleges, approved June 29, 1935 (Public —No. 182—74th Congress), and

Whereas, The provisions of the Act and the purpose of the grants of money authorized by the Act are made subject to the legislative assent of the several states and territories: Therefore,

Be it Resolved by the House of Representatives of the Legislature of the State of Kentucky, the Senate concurring:

That the assent of the Legislature of the State of Kentucky, required by the said Act, be and the samt is hereby given.

Ordered, that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. T. Baker	Thomas W. Hines	A. W. Pfeiffer
G. M. Ballard	Price Holbrook	J. C. Ramey
B. F. Bedford	Clyde S. Howard	Hobart Rayburn
Reuben J. Boling	Ira W. Hulette	Harry C. Records
Ollie J. Bowen	John M. Hunnicut	L. K. Rice
Wallace Brown	Ben W. Johnson	Wade H. Riley
Dr. R. A. Byers	O. C. Jones	Joe E. Robinson
Jas. C. Carter	R. T. Kirkman	A. W. Ross
V. O. Chandler	J. F. Ladd	Carl Scheben
Floyd Clark	Leslie Larrimore	Carl Schneider
George S. Clay	Robert E. Lee	Ray O. Shehan
J. A. Coleman	T. B. McConnell	Dr. B. F. Shields
Harry Davis	J. L. McDermott	P. L. Sidebottom
Sam Dever	Lloyd MacDonald	Chester D. Silvers
Stanley S. Dickson	W. F. McGary	H. C. Steely
Clarence E. Evans	Elmer McGlothen	Henry Stewart
Walter R. Fannin	Duke Mayfield	Dr. H. S. Swope
T. P. Fitzpatrick	G. S. Milam	W. R. Tapp
G. W. Garrett	W. H. Miller	R. Van Bever, Jr.
Ferd A. Gnau	John B. Mollett	Joseph L. Wall
Eugene Gough	W. E. Mull	L. R. Wells
Jas. T. Hamilton	Rodes K. Myers	W. G. Williams
C. L. Hammons	J. C. Nickell	Charles Wylie
W. L. Hampton, Jr.	Russell O'Neill	

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Those who voted in the negative were—

Roscoe Claxon	Ben Grogan	D. T. Matlack	
George W. Dunlap	J. H. Jones	Henry Ward	
James Garnett, Jr.	M. T. McCarthy		—8

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a resolution, entitled:

H. Res. 61. Joint Resolution for the payment of Burnam Bach, ex-deputy Sheriff of Breathitt County, for his expenses and charges insistent thereto, in the extradition of Winston Elkins, a fugitive from justice, Leavenworth, Kansas, to Breathitt County on the 24th of November, 1933.

Said resolution is as follows, viz.:

That, Whereas, on November 8, 1933, Winston Elkins was indicted in the Breathitt Circuit Court for grand larceny and upon request of the officials of Breathitt County, Burnam Bach was requested to proceed to Leavenworth, Kansas, and return said Winston Elkins to Breathitt County to answer said indictment, and whereas at the time it was impossible for him to secure a requisition from the Governor of Kentucky, and that he in compliance with the request of the officers of Breathitt County, made the trip to Leavenworth, Kansas, and apprehended said Winston Elkins, and conveyed him back to Breathitt County, and that he immediately filed his claim for said expenses and six cents (6c) per mile for 1,626 miles, amounting to $97.56, and for gas and

oil for car of $20.32, and for prisoner's food $1.40, making a total of $119.28, and that the Auditor of Public Accounts refused to pay said claim on the grounds that he had not obtained a requisition from the Governor of Kentucky: Therefore,

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

That the Auditor of Public Accounts is directed to draw his warrant upon the treasurer for the sum of $119.28 payable to Burnam Bach for his services in the extradition of Winston Elkins from Leavenworth, Kansas, to Breathitt County, incurred during the month of November, 1933.

Mr. Rice offered the following amendment to said resolution, viz.:

Amend H. Res. 61 by adding after the words "conveyed him back to Breathitt County" the following: said Elkins was convicted and is now serving a three-year term in the State Penitentiary at Frankfort. At the time the sheriff went after the prisoner the officials were unable to contact the Governor to obtain a requisition."

Said amendment was agreed to.

Ordered that said resolution be engrossed and read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with and the same being engrossed, said resolution was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

W. T. Baker	Thomas W. Hines	A. W. Pfeiffer
G. M. Ballard	Price Holbrook	J. C. Ramey
B. F. Bedford	Clyde S. Howard	Hobart Rayburn
Reuben J. Boling	Ira W. Hulette	Harry C. Records
Ollie J. Bowen	John M. Hunnicut	L. K. Rice
Wallace Brown	Ben W. Johnson	Wade H. Riley
Dr. R. A. Byers	O. C. Jones	Joe E. Robinson
Jas. C. Carter	R. T. Kirkman	A. W. Ross
V. O. Chandler	J. F. Ladd	Carl Scheben
Floyd Clark	Leslie Larrimore	Carl Schneider
George S. Clay	Robert E. Lee	Ray O. Shehan
J. A. Coleman	T. B. McConnell	Dr. B. F. Shields
Harry Davis	J. L. McDermott	P. L. Sidebottom
Sam Dever	Lloyd MacDonald	Chester D. Silvers
Stanley S. Dickson	W. F. McGary	H. C. Steely
Clarence E. Evans	Elmer McGlothen	Henry Stewart
Walter R. Fannin	Duke Mayfield	Dr. H. S. Swope
T. P. Fitzpatrick	G. S. Milam	W. R. Tapp
G. W. Garrett	W. H. Miller	R. Van Bever, Jr.
Ferd A. Gnau	John B. Mollett	Joseph L. Wall
Eugene Gough	W. E. Mull	L. R. Wells
Jas. T. Hamilton	Rodes K. Myers	W. G. Williams
C. L. Hammons	J. C. Nickell	Charles Wylie
W. L. Hampton, Jr.	Russell O'Neill	—71

Those who voted in the negative were—

Roscoe Claxon	Ben Grogan	D. T. Matlack
George W. Dunlap	J. H. Jones	Henry Ward
James Garnett, Jr.	M. T. McCarthy	—8

Resolved that the title thereof be as aforesaid.

Mr. Rice moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a resolution entitled:

H. Res. 48. Resolution providing for attorneys' fees and costs in contest case of Thomas v. Jennings.

Said resolution is as follows, viz.:

Whereas, the Contest Committee in the House in the case of J. J. Thomas v. J. T. Jennings has filed its report after a study of the record consisting of approximately sixteen hundred pages of depositions, and after considering briefs and arguments of the counsel, which reports have been adopted and approved by this House; and,

Whereas, the Court of Appeals in the case of Mercer and Shuffett v. Coleman, Auditor, decided in the year 1929 and reported in 227 Kentucky 797; 14 S. W., 2nd., 144, held that it was proper for the House to allow and pay such fees and expenses as contingent expenses of the House; and,

Whereas, the Committee finds that the actual and reasonable expenses in connection with the preparation of the contestant's case exclusive of attorneys' fees, is the sum of One Hundred and Fourteen and Sixty-Five–One-Hundredths ($114.65) Dollars, and the actual and reasonable expenses in connection with the preparation of the contestee's case exclusive of attorney's fees is the sum of Seventy-Seven Dollars; and,

Whereas, the Committee finds that an allowance of Two Hundred ($200.00) Dollars for the attorneys' fees for the attorneys for the contestant and a fee of Two Hundred ($200.00) Dollars for the attorneys for contestee, is a reasonable allowance for the services performed by said attorneys: Now, Therefore,

Be it Resolved, That the aforesaid expenses and attorneys' fees be and the same hereby are allowed and approved

as contingent expenses of the House, and the Clerk of the House hereby is directed to make proper certification thereof to the Auditor of Public Accounts and the Auditor of Public Accounts hereby is authorized and directed to issue his warrants upon the State Treasurer for said sums and charge the same as contingent expense of the House. The certification of the Clerk shall direct the Auditor of Public Accounts to issue his warrant upon the State Treasurer, payable to Clifford E. Smith and W. C. Hamilton, Attorneys for contestant in the amount of Three Hundred Fourteen and Sixty-Five One-Hundredths ($314.65) Dollars, being the total amount allowed to the contestant for expenses and attorneys' fees, and shall direct the Auditor of Public Accounts to issue his warrant upon the State Treasurer, payable to H. C. Procter, C. C. Crosthwait and J. W. Davis in the amount of Two Hundred and Seventy-Seven ($277.00) Dollars, being the total amount allowed to the contestee for expenses and attorneys' fees.

Mr. Hammons offered the following amendment to said resolution, viz.:

Amend H. Res. 48 by striking out the words and figures in Section 1, line 15, "$277.00" and insert in lieu thereof the words and figures "$314.00".

Said amendment was agreed to.

Ordered that said resolution be engrossed and read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with and the same being engrossed, said resolution was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

W. T. Baker	Thomas W. Hines	A. W. Pfeiffer
G. M. Ballard	Price Holbrook	J. C. Ramey
B. F. Bedford	Clyde S. Howard	Hobart Rayburn
Reuben J. Boling	Ira W. Hulette	Harry C. Records
Ollie J. Bowen	John M. Hunnicut	L. K. Rice
Wallace Brown	Ben W. Johnson	Wade H. Riley
Dr. R. A. Byers	O. C. Jones	Joe E. Robinson
Jas. C. Carter	R. T. Kirkman	A. W. Ross
V. O. Chandler	J. F. Ladd	Carl Scheben
Floyd Clark	Leslie Larrimore	Carl Schneider
George S. Clay	Robert E. Lee	Ray O. Shehan
J. A. Coleman	T. B. McConnell	Dr. B. F. Shields
Harry Davis	J. L. McDermott	P. L. Sidebottom
Sam Dever	Lloyd MacDonald	Chester D. Silvers
Stanley S. Dickson	W. F. McGary	H. C. Steely
Clarence E. Evans	Elmer McGlothen	Henry Stewart
Walter R. Fannin	Duke Mayfield	Dr. H. S. Swope
T. P. Fitzpatrick	G. S. Milam	W. R. Tapp
G. W. Garrett	W. H. Miller	R. Van Bever, Jr.
Ferd A. Gnau	John B. Mollett	Joseph L. Wall
Eugene Gough	W. E. Mull	L. R. Wells
Jas. T. Hamilton	Rodes K. Myers	W. G. Williams
C. L. Hammons	J. C. Nickell	Charles Wylie
W. L. Hampton, Jr.	Russell O'Neill	—71

Those who voted in the negative were—

Roscoe Claxon	Ben Grogan	D. T. Matlack
George W. Dunlap	J. H. Jones	Henry Ward
James Garnett, Jr.	M. T. McCarthy	—8

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said resolution

was passed, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day, a resolution entitled:

H. Res. 62. Joint Resolution providing for furnishing Kentucky Directories.

Said resolution is as follows, viz.:

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the State Librarian is hereby authorized and directed to purchase at not exceeding two dollars per copy five hundred and fifty copies of the book entitled "Kentucky Directory 1936" for the use of the Courts, state and county officers and members of the General Assembly. The Librarian will furnish the members of the General Assembly and such officers as may be designated by the presiding officers of the respective Houses a copy of same and will furnish the state officials with copies thereof and will send a copy thereof to the Clerk of the County Court of each county in the state to be kept in his office. The Librarian will furnish to the Librarian of each state and territory of the union a copy of said book in exchange for similar books from said states and territories, and a copy to the Librarian of Congress, and deliver to the Secretary of State fifty copies to exchange.

§ 2. It being necessary that the officers should have the books herein provided for, an emergency is declared and this resolution shall take effect upon its adoption and approval by the Governor.

Ordered, that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. T. Baker	Thomas W. Hines	A. W. Pfeiffer
G. M. Ballard	Price Holbrook	J. C. Ramey
B. F. Bedford	Clyde S. Howard	Hobart Rayburn
Reuben J. Boling	Ira W. Hulette	Harry C. Records
Ollie J. Bowen	John M. Hunnicut	L. K. Rice
Wallace Brown	Ben W. Johnson	Wade H. Riley
Dr. R. A. Byers	O. C. Jones	Joe E. Robinson
Jas. C. Carter	R. T. Kirkman	A. W. Ross
V. O. Chandler	J. F. Ladd	Carl Scheben
Floyd Clark	Leslie Larrimore	Carl Schneider
George S. Clay	Robert E. Lee	Ray O. Shehan
J. A. Coleman	T. B. McConnell	Dr. B. F. Shields
Harry Davis	J. L. McDermott	P. L. Sidebottom
Sam Dever	Lloyd MacDonald	Chester D. Silvers
Stanley S. Dickson	W. F. McGary	H. C. Steely
Clarence E. Evans	Elmer McGlothen	Henry Stewart
Walter R. Fannin	Duke Mayfield	Dr. H. S. Swope
T. P. Fitzpatrick	G. S. Milam	W. R. Tapp
G. W. Garrett	W. H. Miller	R. Van Bever, Jr.
Ferd A. Gnau	John B. Mollett	Joseph L. Wall
Eugene Gough	W. E. Mull	L. R. Wells
Jas. T. Hamilton	Rodes K. Myers	W. G. Williams
C. L. Hammons	J. C. Nickell	Charles Wylie
W. L. Hampton, Jr.	Russell O'Neill	

—71

Those who voted in the negative were—

Roscoe Claxon	Ben Grogan	D. T. Matlack
George W. Dunlap	J. H. Jones	Henry Ward
James Garnett, Jr.	M. T. McCarthy	

—8

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 168. An Act concerning railroads, regulating the operation of trains, engines, motors, locomotive cranes or pile drivers, providing for the number of employees on the same, prescribing penalties, and repealing all laws in conflict therewith.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. It shall be unlawful for any common carrier by railroad in the State of Kentucky, to run or permit to be run on any of its lines or any part thereof, outside of yard limits, any freight, mixed, work or wreck trains propelled or drawn by steam, electricity, gasoline or other motive power, that has not at least the following named employees thereon: One engineer and one fireman for each steam locomotive where such train is propelled or drawn by steam; one engineer or motorman and one assistant to such engineer or motorman, where such train is propelled or drawn by electricity, gasoline or any other form of energy; one conductor and two brakemen.

§ 2. It shall be unlawful for any person or persons, corporation or common carrier by railroad, to operate or permit to be operated on any of its tracks in the State of Kentucky,

any locomotive, engine or motor used to switch cars, to handle cars unless said locomotive, engine or motor is manned with a crew of competent employees consisting of not less than one engineer or motorman, one fireman or assistant to such engineer or motorman, one conductor or foreman and two brakemen or switchmen.

§ 3. It shall be unlawful for any person or persons, corporation or common carrier by railroad, to operate or permit to be operated on any of its tracks in the State of Kentucky, any locomotive, engine, motor, locomotive crane, or pile driver, without cars, unless said locomotive, engine, motor, locomotive crane, or pile driver, is manned with a crew of competent employees consisting of not less than one engineer or motorman, one fireman or assistant and one conductor or flagman.

§ 4. Nothing in this act shall apply to motor cars used by maintenance of way department, signal men, or electric street railways operating in cities or on interburban lines, nor shall this act apply in cases of disability occuring to any member of a crew while on the road between terminals, or to relief or wrecking trains where sufficient men are not available.

§ 5. Any person or persons, corporation or common carrier by railroad, operating any railroad in this Commonwealth who shall willfully violate any of the provisions of this act, shall be liable to the Commonwealth for a penalty of not less than one hundred nor more than three hundred dollars or confined in the county jail for not less than thirty nor more than ninety days for each offense, or may be both so fined and imprisoned, and such penalties shall be recovered by action brought by the Attorney General of the Commonwealth at the direction of the State Railroad Commission, in the Circuit Court of Franklin County; provided, however, this act shall not apply in case of engine failures between terminals.

§ 6. All laws or parts of laws in conflict herewith, are hereby repealed to the extent of such conflict.

§ 7. If any part, subdivision or section of the Act shall be deemed unconstitutional, the validity of its remaining provisions shall not be affected thereby.

Mr. Myers offered the following amendment to said bill, viz.:

Amend H. B. 168 by inserting in Section 3, line 3, following the word "tracks" the following words "outside of yard limits".

Said amendment was agreed to.

Mr. MacDonald offered the following amendment to said bill, viz.:

Amend H. B. 168 by adding after Section 3, Section 3½ reading as follows:

"Section 3½. Any person, persons, corporation or common carrier operating any railroad of less than fifty miles in length in this Commonwealth may make application to the State Railroad Commission for permission to operate such trains, engines or motors with a less number of employees than provided for in Section 1 and Section 1½, of this Act, if it is shown by hearings held by the State Railroad Commission that the safety of the employees and of the traveling public does not warrant their use. Any application to the State Railroad Commission for permission to operate with a less number of employees than provided for in Section 1 and Section 1½, of this Act, shall be made in regular form and all laws, rules and practices governing hearings before the Commission shall apply to the provisions of this Act."

Said amendment was agreed to.

Mr. Rice moved that said bill be laid on the table.

Said motion was disagreed to.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, and the same being engrossed, said bill was read the third time by its title only and rejected.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen	O. C. Jones	A. W. Ross
Ollie J. Bowen	M. T. McCarthy	Ray O. Shehan
Wallace Brown	T. B. McConnell	Dr. B. F. Shields
J. A. Coleman	J. L. McDermott	Chester D. Silvers
Roy Conway	Duke Mayfield	H. C. Steely
Harry Davis	John B. Mollett	Henry Stewart
T. P. Fitzpatrick	Rodes K. Myers	W. R. Tapp
C. L. Hammons	J. C. Nickell	R. Van Bever, Jr.
Thomas W. Hines	Russell O'Neill	S. J. Wagner
Ira W. Hulette	Mel Petry	Joseph L. Wall
John M. Hunnicut	J. C. Ramey	Henry Ward
Ben W. Johnson	Hobart Rayburn	—35

Those who voted in the negative were—

Henry H. Allen	Jas. C. Carter	George W. Dunlap
H. T. Baker	V. O. Chandler	Howard G. Early
W. T. Baker	Floyd Clark	Clarence E. Evans
G. M. Ballard	Roscoe Claxon	Walter R. Fannin
B. F. Bedford	George S. Clay	Chas. P. Farnsley
Reuben J. Boling	Sam Dever	H. Myer Garner
Dr. R. A. Byers	Stanly S. Dickson	James Garnett, Jr.

G. W. Garrett	J. F. Ladd	Joe E. Robinson
Ferd A. Gnau	Leslie Larrimore	John C. Robinson
Eugene Gough	W. F. McGary	Carl Scheben
Ben Grogan	Elmer McGlothen	Carl Schneider
Jas. T. Hamilton	D. T. Matlack	P. L. Sidebottom
W. L. Hampton, Jr.	G. S. Milam	Dr. H. S. Swope
Price Holbrook	W. H. Miller	J. J. Thomas
Clyde S. Howard	Tyler Munford	L. R. Wells
J. H. Jones	L. K. Rice	W. G. Williams
R. T. Kirkman	Wade H. Riley	Charles Wylie

—51

Mr. Rice moved that the vote by which said bill was rejected be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Mr. Clark moved that the vote by which a bill entitled:

H. B. 534. An Act to provide for a Greyhound Racing Commission, etc.

Was laid on the table on yesterday,

Be reconsidered.

Said motion was agreed to.

The yeas and nays being required thereon by Messrs. Clark and Dickson, were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen	Floyd Clark	G. W. Garrett
W. T. Baker	George S. Clay	Ben Grogan
G. M. Ballard	Harry Davis	Jas. T. Hamilton
B. F. Bedford	Clarence E. Evans	C. L. Hammons
Wallace Brown	Walter R. Fannin	Thomas W. Hines
Jas. C. Carter	T. P. Fitzpatrick	Clyde S. Howard
V. O. Chandler	H. Myer Garner	John M. Hunnicut

Ben W. Johnson	J. C. Nickell	P. L. Sidebottom
J. H. Jones	Mel Petry	H. C. Steely
R. T. Kirkman	J. C. Ramey	Henry Stewart
J. F. Ladd	Harry C. Records	Dr. H. S. Swope
M. T. McCarthy	L. K. Rice	W. R. Tapp
T. B. McConnell	Wade H. Riley	R. Van Bever, Jr.
J. L. McDermott	Joe E. Robinson	S. J. Wagner
Elmer McGlothen	John C. Robinson	Henry Ward
W. H. Miller	A. W. Ross	W. G. Williams
John B. Mollett	Carl Scheben	
Rodes K. Myers	Dr. B. F. Shields	—52

Those who voted in the negative were—

Henry H. Allen	Chas. P. Farnsley	D. T. Matlack
H. T. Baker	James Garnett, Jr.	Duke Mayfield
Reuben J. Boling	Ferd A. Gnau	Tyler Munford
Ollie J. Bowen	Eugene Gough	Russell O'Neill
Dr. R. A. Byers	W. L. Hampton, Jr.	Carl Schneider
Roscoe Claxon	Ira W. Hulette	Chester D. Silvers
J. A. Coleman	O. C. Jones	J. J. Thomas
Roy Conway	Leslie Larrimore	Joseph L. Wall
Sam Dever	Robert E. Lee	L. R. Wells
Stanley S. Dickson	Lloyd MacDonald	Charles Wylie
George W. Dunlap	W. F. McGary	
Howard G. Early	C. S. Matherly	—34

Thereafter such reconsideration, the House took up for immediate consideration, said bill.

Said bill is as follows, viz.:

H. B. No. 534. An Act entitled an act to provide for Greyhound Racing Commission; to prescribe its powers and duties; to fix compensation; to provide for holding elections; to provide for licensing and taxing such racing and apportioning the moneys derived therefrom; to provide for the selling of combination or French pools within the enclosure

of licensed race tracks; to provide penalties for the violation of this act and repealing any laws in conflict therewith.

Be it enacted by the General Assembly of Kentucky:

§ 1. Any corporation formed for the purpose of racing or breeding of Greyhounds and conducting races and contests of speed shall have the power and right, subject to the provisions of this act, to hold one or more race meetings in each year and to hold, maintain and conduct races at such meetings. At such meetings the corporation or the owners of greyhounds engaged in such races or others who are not participants in the racing may contribute purses, prizes, premiums or stakes to be contested for; but no person or persons other than the owner or owners of greyhounds contesting in a race shall have any pecuniary interest in a purse, prize, premium or stake contested for in such race, or be entitled to, or receive any portion thereof, after such race shall have been finished; and the whole of such purse, prize or premium or stake shall be allotted in accordance with the terms and conditions of such race. Such meetings shall not be held except during the period extending from the first day of April to the first day of Deember, inclusive in each year. Said races shall be held between the hours of 7 P. M., and 12 Midnight. No races are authorized or shall be permitted except during the period aforesaid.

§ 2. A Greyhound Racing Commission is hereby established to consist of three persons to be appointed by the Governor. The members of said commission shall hold their offices for a term of four years and the first commission shall be appointed within twenty days after this act shall go into effect. Such commission shall appoint a secretary, who shall serve during its pleasure, whose duty it shall be to keep a full and faithful record of its proceedings and preserve at its general office, all books, maps, documents and papers entrusted to its care and shall perform such other duties as the commission may prescribe. He shall be paid a salary to be

fixed by the commission at a rate not exceeding $1,200.00 per annum, which shall be paid by the several racing corporations or associations. The commission shall bi-annually make a full report to the General Assembly of its proceedings for the two-year period, ending with the first day of December preceding the meeting of the General Assembly and shall embody therein such suggestions and recommendations as it shall deem proper.

POWERS OF COMMISSION

§ 3. Said commission shall have the power to prescribe the rules, regulations and conditions under which races shall be conducted in this state and no such races shall be conducted in this state and no such races shall be conducted except by a corporation or association duly licensed by said commission as herein provided. Any corporation or association desiring to conduct such racing may annually apply to the Greyhound Racing Commission for a license so to do. If, in the judgment of the commission, a proper case for the issuance for such license is shown, it may grant the same for a term of one year, and if such license shall contain a condition that all races or race meetings conducted thereunder shall be subject to the rules, regulations and conditions from time to time prescribed by the commission and shall be revocable by the commission for any violation thereof, or whenever the contents of such license shall be deemed by the commission not conducive to the interest of legitimate racing. But if said license is refused or revoked, said commission shall publicly state its reason for so doing and said reason shall be written in full in the minute book of said commission, which shall at all times be subject to inspection upon application of anyone desiring so to do. Said finding of said commission shall be subject to the review of a court of competent jurisdiction; provided that a refusal of the commission to grant to any racing association a license, or to assign any

racing association, at least sixty days in each year, if desired, for racing at such association, and the decision of such commission revoking any license of any association shall be subject to review of the courts of the state.

§ 4. If race meetings, at which racing shall be permitted for any stake, purse or reward except as allowed by this act, is hereby declared to be a public nuisance and every person acting or aiding therein shall be deemed guilty of a misdemeanor and punished by a fine of not less than $500.00 nor more than $1,000.00 for each day of such meeting or racing and in addition thereto, in a suit brought for the purpose by the Greyhound Racing Commission in the Circuit Court of the county where it may be proposed to conduct such unauthorized racing and an injunction may be obtained against the same.

§ 5. At the time of making application for a permit, the applicant shall deposit with the Racing Commission a cash bond, certified check or bank draft payable to the order of the Racing Commission, in an amount equal to $100.00 for each day excluding Sundays, petitioned for in said application. At the close of the last day of the Greyhound racing meeting for which a permit is issued as provided for in Section 6 of this act, the Racing Commission shall refund to such permit holder the sum of $100.00 for each racing day the permit holder paid the Racing Commission that tax due for said day as provided for and at the rate stipulated by this act; provided, however, if such permit holder has not paid to the Racing Commission the expenses and compensation of representatives assigned to his or its track as provided for in this act, the commission is authorized and directed to withhold such refund until the same has been paid. In the event any full day's racing is declared off by the judges on account of inclement weather or muddy track, or said track, or any essential part thereof has been destroyed by fire, wind, riot, or explosion, the Racing Commission shall refund to the per-

mit holders the sum of $100.00 of their deposit for each such day.

§ 6. Upon the filing of an application accompanied by a permit fee or a cash bond, certified check or bank draft as herein provided by any person, association, trust or corporation not in default of payment of any obligation due to the Commonwealth of Kentucky, under the provisions of this act the Racing Commission may issue a permit to such applicant to hold or conduct a Greyhound racing meeting as authorized in this act. Such permit shall specify the person, association, trust or corporation to whom the same is issued, the dates upon which such Greyhound Racing meetings are to be held or conducted, the hours of such dates between which such Greyhound racing shall be permitted, the location of the place, track or enclosure where such Greyhound racing meeting is to be held or conducted and shall receipt the payment of the permit fee and deposit a cash bond, certified check or bank draft by applicant. If such permit shall contain a condition that all Greyhound racing meetings conducted thereunder, shall be subject to rules and regulations and continue from time to time prescribed and promulgated by the commission. The commission may refuse to award dates or to issue a permit to any applicant if a permit previously issued to said applicant has been revoked under the authority of this act. Such permit may be suspended, diminished or revoked by the commission of any violation of this act, or of any rule of the commission made under authority of this act, provided five days written notice mailed by registered mail to the permit holder be given of charges, the time and place of hearing at which hearing the permit holder shall be given the opportunity of presenting evidence and being represented by counsel and provided further that the Racing Commission shall immediately enter upon its record of proceedings a memorandum of its action in such suspension, diminution or revocation and its reason therefor. Such permit shall be non-transfer-

able and shall apply only to the place, track, or enclosure specified in the permit.

§ 7. Any person, association, trust or corporation holding a permit to conduct a Greyhound Racing Meeting, may provide a place or places in the race meeting grounds or enclosure at which they or it may conduct and supervise the combination, French pools, or certificate system of wagering by patrons of legal age on the Greyhound races conducted by such permit holder at such meeting. (Such combination or French pool or certificate method of wagering upon Greyhound races held at or within such race track and at the time of such Greyhound racing meeting shall not be held or construed to be unlawful to the Statutes of the Commonwealth of Kentucky, to the contrary notwithstanding.) And any law in conflict is hereby repealed.

No other place except that provided and designated by the permit holder, or any method of betting or wagering, except the combination or French pools or certificate system shall be used or permitted by the permit holder nor shall the combination or French pools or certificate system of wagering be conducted by the permit holder on any Greyhound races except the races at the race track grounds or enclosure for which the person, assoiation, trust or corporation holds a permit. Each permit holder may retain as commission, not to exceed fifteen per cent of the total of all money wagered each day. The permit holder may also retain the odd cents of all redistributions to be made on all compensation or French pools or certificate system, contributions exceeding a sum equal to the next lowest multiple of 10 cents. At the close of each racing day the permit holder shall pay to the racing commission as a tax three per cent of the total of all money wagered each day.

In addition to the aforesaid taxes, each person, association or corporation authorized to conduct race meetings under this act shall pay to said racing commission fifteen per cent

of all moneys received each day from admissions paid by persons attending said races or the sum of ten cents on each and every admission, whichever sum is the greater. Said payment shall be accompanied by a report under oath showing the total of all said contributions and admissions on the races covered by such report and such other information as said commission may require. If any free passes or complimentary admission card shall be issued to guests by any licensee, the licensee of such track shall pay to the commission the same tax upon such complimentary admission cards as if same were sold at the regular and usual admission rate; but nothing herein shall be construed to prevent the issuance of tax free passes to officials and actual employees of the licensee or other persons engaged actually in working at such race track, provided, however, that the issuance of all such tax free passes shall be under the regulations or orders of the commission and a list of all officers and employees shall be filed with the commission.

The tax herein imposed shall be in lieu of all license excise or occupational taxes to the Commonwealth of Kentucky, or any county, town or other political subdivision thereof, except that when any racing meeting is held or conducted in any incorporated city or town, such city and town shall have the right to assess and collect an additional tax against any person, firm or association or corporation conducting Greyhound racing within its corporate limits not to exceed $50.00 per racing day.

§ 8. All moneys collected from the three per cent commission as above referred to and all moneys collected from the sale of admission tickets as above referred to shall be paid by the racing commission to the State Treasurer of this Commonwealth and that said moneys when paid to the State Treasurer shall be allocated to and used for the general common school fund.

§ 9. At least, eighty-five per cent of all persons con-

nected with any race track authorized under this act including gatekeepers, announcers, ushers, shall be qualified electors of the Commonwealth of Kentucky, provided, however, that this section shall not apply to owners and trainers of racing Greyhounds.

§ 10. Election to be ordered on petition of voters upon application by written petition signed by a number of legal voters in any county to be affected by this act equal to twenty-five per cent of the votes cast therein at the last preceding general election. It shall be the duty of the judge of the county court in such county at the next regular term thereof, after receiving said petitions to make an order on his order book directing an election to be held in such county, to be affected thereby on some day named in said petition, no earlier than sixty days after said application is lodged with the judge of said court, which order shall direct the sheriff or court officer of said county who may be appointed to hold said election, to open a poll at each and all of the voting places in such county, city, town, district or precinct on said date for the purpose of taking the sense of the legal voters of such county who are qualified to vote at elections for county officers upon the proposition whether or not Greyhound racing shall be conducted in said county.

§ 11. It shall be the duty of the County Clerk to give to the sheriff of the county or such officer as may be appointed to hold said election, a certified copy of the order of the county court as it appears on the order book within five days after said order is made; and it shall be the duty of said sheriff or other officer to have said order published in some weekly or daily paper published in the county for at least two weeks before the election and also to advertise the same by printed or written handbills posted at some conspicuous place in each precinct in the county for the same length of time when the eletion is held for the entire county; the sheriff or other officer shall have the advertisements and notices herein pro-

vided for, posted as herein required within seven days after he receives the order of the county court. All elections provided for in this act shall be held by such officers as would be qualified to hold elections for county officers and they shall be selected in the same way, and all elections provided for herein shall be held in accordance with the provision with the general election laws of the state, except that they shall not be held on the same day with any regular political election nor within thirty days next preceding or following any such regular, political election.

§ 12. If it shall be found that a majority of the legal votes cast at any election herein provided for were given for or against Greyhound racing, it shall be the duty of the canvassing board to certify that fact which certificates shall be delivered to the clerk of the County Court and by him safely kept until the next regular term of the County Court at which term the judge thereof shall have the same spread on the order book and said entry of certificate in the order book or a certified copy thereof shall be prima facie evidence in any and all proceedings under this act.

§ 13. The result of said election when so held under the provisions of this act shall determine the question for a period of five years and no election shall be held again upon the subject for a period of five years.

Mr. Sidebottom offered the following amendments to said bill, viz.:

Amend H. B. 534 by inserting in Section 10, line 8, page 7, after the word "days" the following: "and not later than ninety days".

Amend H. B. 534 by adding to Section 12 after the word "act" and the period (.) on page 9 the following: "If the majority of the votes cast in the election herein provided for, were against Greyhound racing shall not be permitted in the

county and any act of Greyhound racing in that county shall then be prosecuted under the penalties provided in paragraph 4 of this act.''

By unanimous consent, said amendments were withdrawn.

Mr. Gnau offered the following amendment to said bill, viz.:

Amend H. B. 534 by striking from the enacting clause the words ''General Assembly'' and inserting in lieu thereof the words ''red light districts, perverts and cheap gamblers''.

Said amendment was disagreed to.

Mr. Fitzpatrick moved the Previous Question.

Thereupon the Speaker announced ''Shall the Main Question be now put?''

Which was decided in the negative.

Mr. Dickson offered the following amendments to said bill, viz.:

Amend H. B. 534, page 3, line 7, of Sections 3, by inserting after the words ''so to do'' the words ''in any county in which such racing has previously been approved by a majority of electors voting in a local option election provided under Section 10 of this Act.''

Amend H. B. 534, Section 14, by adding thereto ''Whereas, several concerns and corporations are desirous of conducting dog tracks as provided in this Act, an emergency is declared to exist, and this Act shall take effect immediately upon its passage''.

Said amendments were each disagreed to.

Mr. Myers moved the Previous Question.

Thereupon the Speaker announced "Shall the Main Question be now put?"

Which was decided in the affirmative.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only and rejected.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen	G. W. Garrett	Mel Petry
G. M. Ballard	C. L. Hammons	J. C. Ramey
B. F. Bedford	Price Holbrook	Harry C. Records
V. O. Chandler	Ben W. Johnson	Joe E. Robinson
Floyd Clark	J. H. Jones	John C. Robinson
Herbert Cook	J. F. Ladd	A. W. Ross
Clarence E. Evans	M. T. McCarthy	Henry Stewart
Walter R. Fannin	John Marshall	Dr. H. S. Swope
T. P. Fitzpatrick	John B. Mollett	R. Van Bever, Jr.
H. Myer Garner	J. C. Nickell	—29

Those who voted in the negative were—

Henry H. Allen	Jas. C. Carter	Sam Dever
H. T. Baker	Roscoe Claxon	Stanley S. Dickson
Reuben J. Boling	George S. Clay	George W. Dunlap
Ollie J. Bowen	J. A. Coleman	Howard G. Early
Wallace Brown	Roy Conway	Chas. P. Farnsley
Dr. R. A. Byers	Harry Davis	James Garnett, Jr.

Ferd A. Gnau	Lloyd MacDonald	Carl Scheben
Eugene Gough	W. F. McGary	Carl Schneider
Ben Grogan	Elmer McGlothen	Ray O. Shehan
Jas. T. Hamilton	C. S. Matherly	Dr. B. F. Shields
W. L. Hampton, Jr.	D. T. Matlack	P. L. Sidebottom
Thomas W. Hines	Duke Mayfield	Chester D. Silvers
Clyde S. Howard	G. S. Milam	H. C. Steely
Ira W. Hulette	W. H. Miller	J. J. Thomas
O. C. Jones	Tyler Munford	Joseph L. Wall
R. T. Kirkman	Rodes K. Myers	Henry Ward
Leslie Larrimore	Russell O'Neill	L. R. Wells
Robert E. Lee	Hobart Rayburn	W. G. Williams
T. B. McConnell	L. K. Rice	Charles Wylie
J. L. McDermott	Wade H. Riley	—59

Mr. Gnau moved that the vote by which said bill was rejected be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

A message was received from the Senate announcing that they had passed a bill which originated in that body of the following title:

S. B. 312. An Act to amend Carroll's Kentucky Statutes relating to the holding of circuit courts in 29 Judicial district.

Ordered that said bill be printed and referred to a Committee on Rules.

And that they had passed bills which originated in this house entitled:

H. B. 68. An Act defining passenger automobiles and providing for the registration fees of such motor vehicles, etc.

H. B. 174. An Act to provide for the certification of property assessment in annexed territory to the annexing authority, etc.

H. B. 110. An Act to repeal the Acts of the General Assembly of 1932, relating to redemption of land sold for taxes and interest and penalty, etc.

H. B. 71. An Act relating to Suffrage and Elections.

Ordered that said bills be delivered to the Enrolling Clerk of the House.

Dr. Shields moved that the House do now recess until seven-thirty o'clock P. M.

Said motion was disagreed to.

Mr. Myers moved that the House do now adjourn until Thursday, February 13, at ten o'clock A. M.

Said motion was disagreed to.

Dr. Shields moved that the House do now recess until seven-thirty o'clock P. M.

Said motion was agreed to.

And then the House recessed.

NIGHT SESSION

The hour of seven-thirty o'clock P. M. having arrived, the Speaker resumed the Chair and called the House to order.

A message was received from the Senate announcing that they had passed bills which originated in that body entitled:

S. B. 285. An Act to amend and re-enact Section 101-1, Kentucky Statutes, being Chapter 5, Section 1, of the Acts of the 1934 Session.

S. B. 41. An Act extending the power of the Public Service Commission.

Ordered that said bills be printed and referred to Committee on Rules.

Dr. Shields of the Committee on Rules, to which the same had been referred, reported bills of the following titles, viz.:

S. B. 151. An Act to repeal, amend and re-enact Section 36, Chapter 65, of the 1934 Acts, providing that the sheriff shall receive ten per cent for collecting the first five thousand dollars and four per cent upon the residue, for collecting all school taxes and declaring an emergency to exist.

S. B. 193. An Act to repeal, amend, and re-enact Section 2985, Kentucky Statutes, concerning tax assessments in cities of the first class.

S. B. 194. An Act to repeal Section 2908, Kentucky Statutes, concerning entry by the assessor in cities of the first class, etc.

S. B. 195. An Act to relieve tax officials of cities of the first class against carrying uncollectable city tax, etc.

S. B. 196. An Act to repeal, amend, and re-enact Section 3001, concerning tax collections, etc.

S. B. 197. An Act to repeal, amend and re-enact Section 3037f-10, concerning supervision of the plumbing departments of cities of the first class.

S. B. 198. An Act repealing Chapter 112 of the Acts of the General Assembly of 1912, authorizing cities of the first class to adopt and provide for a system of pensions for policemen; and their dependents, etc.

S. B. 199. An Act to repeal Chapter 122 of the Acts of 1912, authorizing cities of the first class to adopt and provide for a system of pensions for retired and injured firemen and their dependents, etc.

S. B. 200. An Act to amend and re-enact Article 4 of Chapter 16 of the Acts of the General Assembly of 1906, authorizing compensation to members of the board of water works in cities of the first class.

S. B. 201. An Act to amend Chapter 16, of the Acts of 1928, by providing for the temporary commitment for care and observation of mental cases, to determine whether or not they are insane.

S. B. 202. An Act to amend and re-enact Section 2777, Carroll's Kentucky Statutes, relating to ordinances, how passed, how amended.

H. B. 635. An Act relating to the primary system of roads and highways.

H. B. 636. An Act providing for a course of study as to effects of alcoholic beverages.

H. B. 637. An Act relating to the primary system of roads and highways.

H. B. 638. An Act relating to the primary system of roads and highways.

S. Res. 36. Resolution authorizing Malinda Saylor to

file suit against the Commonwealth of Kentucky or State Highway.

S. Res. 33. Resolution authorizing William Cox to sue the Commonwealth and State Highway Commission.

S. Res. 35. Resolution authorizing Floyd Carnes to file suit against the Commonwealth of Kentucky or State Highway or either.

S. Res. 40. Resolution authorizing Mrs. Alice Maher to sue the Commonwealth of Kentucky, and the Kentucky Emergency Relief Administration.

S. Res. 46. Resolution authorizing Wm. C. Wells and Mary Helen Wells his wife, and Matt Wells who reside in Louisville to sue the Commonwealth of Kentucky.

S. Res. 44. A joint resolution authorizing Jas. Lewis, an infant, his next griend, and Mrs. Ruth Lewis, his mother, to sue the Commonwealth of Kentucky.

S. B. 148. An Act to amend, repeal and re-enact Chapter 162 of the Acts of the regular session of 1934, relating to primary roads.

S. B. 176. An Act relating to the primary system of roads and highways.

S. B. 185. An Act relating to the primary system of roads and highways.

S. B. 167. An Act relating to the primary system of roads and highways.

S. B. 168. An Act relating to the primary system of roads and highways.

S. B. 183. An Act relating to the primary system of roads and highways.

S. B. 180. An Act relating to the primary system of roads and highways.

S. B. 70. An Act relating to the primary system of roads and highways.

S. B. 178. An Act relating to the primary system of roads and highways.

S. B. 164. An Act relating to the primary system of roads and highways.

S. B. 152. An Act relating to the primary system of roads and highways.

S. B. 162. An Act relating to the primary system of roads and highways.

S. B. 177. An Act relating to the primary system of roads and highways.

S. B. 188. An Act relating to the primary system of roads and highways.

S. B. 190. An Act relating to the primary system of roads and highways.

S. B. 187. An Act relating to the primary system of roads and highways.

S. B. 175. An Act relating to the primary system of roads and highways.

S. B. 204. An Act relating to the primary system of roads and highways.

S. B. 256. An Act relating to the primary system of roads and highways.

S. B. 255. An Act relating to the primary system of roads and highways.

S. B. 261. An Act relating to the primary system of roads and highways.

S. B. 243. An Act relating to the primary system of roads and highways.

S. B. 161. An Act relating to the primary system of roads and highways.

S. B. 206. An Act relating to the primary system of roads and highways.

S. B. 231. An Act relating to the primary system of roads and highways.

S. B. 238. An Act relating to the primary system of roads and highways.

S. B. 239. An Act relating to the primary system of roads and highways.

S. B. 240. An Act relating to the primary system of roads and highways.

S. B. 205. An Act relating to the primary system of roads and highways.

S. B. 314. An Act to amend, repeal and re-enact Section 1991, Kentucky Statutes, 1935 Baldwin's Supplement, relating to the per diem of officers and employees of the General Assembly.

S. B. 312. An Act to amend and re-enact 965-29, Carroll's Kentucky Statutes, relating to the holding of circuit court in the Twenty-Ninth Judicial district.

S. B. 285. An Act to amend and re-enact Section 101-1, Kentucky Statutes, being Chapter 5, Section 1, of the Acts of 1934.

S. B. 41. An Act extending the power of the Public Service Commission.

With the expression of opinion that said bills ought to pass.

Said bills were severally read at length the first time and ordered to be placed on the Calendar.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 64. An Act repealing Chapter 129 of the Acts of the 1934 General Assembly, being Section 2237-1, Kentucky Statutes, Baldwin's 1934 Kentucky Statute Service, consolidating the office of Jailer with that of Sheriff in each county of the State, and restoring to said jailer and sheriff, respectively, the duties now vested in them.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Chapter 129 of the Acts of the General Assembly of Kentucky, 1934 Session, providing for the consolidation of the office of Jailer with that of Sheriff in each county of the State, being Section 2237-1, Kentucky Statutes, Baldwin's 1934 Kentucky Statute Service, be and the same hereby is re-

pealed and the jailer and sheriff in each of the counties of this Commonwealth are hereby restored to duties now by law vested in them, respectively.

Chapter 129 of the Acts of the General Assembly of Kentucky of 1934, being Section 2237-1, Kentucky Statutes, Baldwin's 1934 Kentucky Statute Service, hereby is expressly repealed.

Mr. Ward moved that the consideration of said bill be postponed indefinitely.

Said motion was disagreed to.

The yeas and nays being required thereon by Messrs. Hammons and Ward, were as follows, viz.:

Those who voted in the affirmative were—

W. T. Baker	Clyde S. Howard	Mel Petry
B. F. Bedford	John M. Hunnicut	J. C. Ramey
Wallace Brown	Ben W. Johnson	Joe E. Robinson
Roscoe Claxon	J. H. Jones	John C. Robinson
George S. Clay	Elmer McGlothen	Dr. B. F. Shields
Roy Conway	John Marshall	P. L. Sidebottom
Harry Davis	D. T. Matlack	S. J. Wagner
Stanley S. Dickson	Duke Mayfield	Henry Ward
George W. Dunlap	G. S. Milam	L. R. Wells
Chas. P. Farnsley	W. H. Miller	Charles Wylie
Eugene Gough	Rodes K. Myers	—32

Those who voted in the negative were—

F. T. Allen	V. O. Chandler	Walter R. Fannin
Henry H. Allen	Floyd Clark	T. P. Fitzpatrick
G. M. Ballard	J. A. Coleman	James Garnett, Jr.
Reuben J. Boling	Herbert Cook	G. W. Garrett
Ollie J. Bowen	Sam Dever	Ferd A. Gnau
Dr. R. A. Byers	Howard G. Early	Jas. T. Hamilton
Jas. C. Carter	Clarence E. Evans	C. L. Hammons

W. L. Hampton, Jr.	John B. Mollett	H. C. Steely
Thomas W. Hines	Tyler Munford	Henry Stewart
Price Holbrook	J. C. Nickell	Dr. H. S. Swope
O. C. Jones	Russell O'Neill	W. R. Tapp
R. T. Kirkman	Hobart Rayburn	J. J. Thomas
J. F. Ladd	L. K. Rice	R. Van Bever, Jr.
Robert E. Lee	Wade H. Riley	Joseph L. Wall
T. B. McConnell	Carl Scheben	W. G. Williams
J. L. McDermott	Ray O. Shehan	
W. F. McGary	Bruce Sloan	—49

Ordered that said bill be read tne third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen	G. W. Garrett	Tyler Munford
W. T. Baker	Jas. T. Hamilton	J. C. Nickell
G. M. Ballard	C. L. Hammons	Russell O'Neill
Reuben J. Boling	W. L. Hampton, Jr.	Hobart Rayburn
Ollie J. Bowen	Thomas W. Hines	L. K. Rice
Dr. R. A. Byers	Price Holbrook	Wade H. Riley
Jas. C. Carter	Clyde S. Howard	Carl Scheben
V. O. Chandler	J. H. Jones	Ray O. Shehan
Floyd Clark	O. C. Jones	Bruce Sloan
George S. Clay	R. T. Kirkman	H. C. Steely
J. A. Coleman	J. F. Ladd	Henry Stewart
Herbert Cook	Robert E. Lee	Dr. H. S. Swope
Sam Dever	T. B. McConnell	W. R. Tapp
Howard G. Early	J. L. McDermott	J. J. Thomas
Clarence E. Evans	W. F. McGary	R. Van Bever, Jr.
Walter R. Fannin	Elmer McGlothen	Joseph L. Wall
T. P. Fitzpatrick	John B. Mollett	W. G. Williams

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Those who voted in the negative were—

Henry H. Allen	John M. Hunnicut	John C. Robinson
B. F. Bedford	John Marshall	Carl Schneider
Wallace Brown	D. T. Matlack	Dr. B. F. Shields
Roscoe Claxon	Duke Mayfield	P. L. Sidebottom
Roy Conway	G. S. Milam	S. J. Wagner
George W. Dunlap	W. H. Miller	Henry Ward
Chas. P. Farnsley	Rodes K. Myers	L. R. Wells
James Garnett, Jr.	Mel Petry	Charles Wylie
Ferd A. Gnau	J. C. Ramey	
Eugene Gough	Joe E. Robinson	—28

Resolved that the title thereof be as aforesaid.

Mr. Carter moved that the vote, by which said bill was passed, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Clerk's desk a bill entitled:

H. B. 106. An Act to amend and re-enact Section 4399, subsection 17, providing for the election of board members in county school districts.

With a substitute thereto as offered by Mr. Howard.

(For bill and substitute see House Journal of February 10.)

Said substitute was then adopted.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, said bill was read the third time by its title only, and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen	G. W. Garrett	G. S. Milam
Henry H. Allen	Ferd A. Gnau	John B. Mollett
H. T. Baker	Ben Grogan	Tyler Munford
W. T. Baker	W. L. Hampton, Jr.	J. C. Ramey
G. M. Ballard	Thomas W. Hines	L. K. Rice
B. F. Bedford	Price Holbrook	Joe E. Robinson
Ollie J. Bowen	Clyde S. Howard	John C. Robinson
Wallace Brown	Ben W. Johnson	Carl Scheben
Dr. R. A. Byers	O. C. Jones	Carl Schneider
V. O. Chandler	R. T. Kirkman	Dr. B. F. Shields
Roscoe Claxon	J. F. Ladd	P. L. Sidebottom
George S. Clay	T. B. McConnell	H. C. Steely
Sam Dever	W. F. McGary	Dr. H. S. Swope
Stanley S. Dickson	Elmer McGlothen	W. R. Tapp
Howard G. Early	John Marshall	Joseph L. Wall
Chas. P. Farnsley	C. S. Matherly	L. R. Wells
James Garnett, Jr.	Duke Mayfield	

—50

Those who voted in the negative were—

Reuben J. Boling	Clarence E. Evans	Hobart Rayburn
Jas. C. Carter	Walter R. Fannin	Ray O. Shehan
Floyd Clark	Eugene Gough	Bruce Sloan
J. A. Coleman	C. L. Hammons	Henry Stewart
Roy Conway	J. H. Jones	J. J. Thomas
Herbert Cook	W. H. Miller	R. Van Bever, Jr.
Harry Davis	J. C. Nickell	W. G. Williams
George W. Dunlap	Russell O'Neill	Charles Wylie

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Resolved that the title thereof be as amended.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 575. An Act creating seven appellate districts and assigning to each district the counties comprising the same.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

On and after January first, one thousand, nine hundred and thirty-seven, the court of appeals shall consist of seven judges, to be elected from districts, and the state is divided into seven districts for said purpose as follows:

First District: The first appellate court district shall consist of the counties of Ballard, Carlisle, Hickman, Fulton, Graves, McCracken, Calloway, Marshall, Livingston, Lyon, Trigg, Caldwell, Crittenden, Union, Webster, Hopkins, Muhlenberg and Christian.

Second District: The second appellate court district shall consist of the counties of Henderson, McLean, Daviess, Hancock, Breckinridge, Ohio, Grayson, Butler, Edmonson, Warren, Allen, Simpson, Logan, Todd, Monroe and Meade

Third District: The third appellate court district shall consist of the counties of Hardin, Bullitt, Nelson, Washington, Marion, Spencer, Larue, Hart, Green, Taylor, Adair, Metcalfe, Barren, Clinton, Wayne, Russell, Shelby, Oldham, Anderson, Pulaski and Cumberland.

Fourth District: The fourth appellate court district shall consist of the county of Jefferson.

Fifth District: The fifth appellate court district shall consist of the counties of Henry, Trimble, Carroll, Gallatin, Owen, Scott, Franklin, Bourbon, Fayette, Woodford, Garrard, Boyle, Jessamine, Madison, Mercer, Lincoln, Rockcastle, Jackson, Clark and Casey.

Sixth District: The sixth appellate court district shall consist of the counties of Boone, Campbell, Kenton, Grant, Harrison, Pendleton, Bracken, Robertson, Nicholas, Mason, Fleming, Lewis, Greenup, Carter, Rowan, Bath and Elliott.

Seventh District: The seventh appellate court district shall consist of the counties of Knott, Montgomery, Estill, Powell, Menefee, Bell, Harlan, Leslie, Lee, Breathitt, Perry, Letcher, Pike, Floyd, Magoffin, Wolfe, Morgan, Lawrence, Boyd, Johnson, Owsley, Clay, Knox, Laurel, Whitley, Martin and McCreary.

All laws or parts of laws in conflict herewith, are hereby repealed.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen	George S. Clay	T. P. Fitzpatrick
Henry H. Allen	Herbert Cook	James Garnett, Jr.
W. T. Baker	Sam Dever	Ferd A. Gnau
B. F. Bedford	Stanley S. Dickson	Eugene Gough
Ollie J. Bowen	George W. Dunlap	Ben Grogan
Wallace Brown	Howard G. Early	W. L. Hampton, Jr.
Floyd Clark	Clarence E. Evans	Clyde S. Howard
Roscoe Claxon	Chas. P. Farnsley	John M. Hunnicut

O. C. Jones	G. S. Milam	P. L. Sidebottom
R. T. Kirkman	Tyler Munford	W. R. Tapp
J. F. Ladd	J. C. Ramey	J. J. Thomas
T. B. McConnell	L. K. Rice	S. J. Wagner
J. L. McDermott	Wade H. Riley	Joseph L. Wall
W. F. McGary	Joe E. Robinson	Henry Ward
Elmer McGlothen	John C. Robinson	L. R. Wells
John Marshall	Carl Scheben	W. G. Williams
D. T. Matlack	Carl Schneider	
Duke Mayfield	Dr. B. F. Shields	—52

Those who voted in the negative were—

G. M. Ballard	C. L. Hammons	Hobart Rayburn
Reuben J. Boling	Thomas W. Hines	Ray O. Shehan
Dr. R. A. Byers	Price Holbrook	Bruce Sloan
Jas. C. Carter	Ben W. Johnson	H. C. Steely
V. O. Chandler	J. H. Jones	Henry Stewart
J. A. Coleman	Robert E. Lee	Dr. H. S. Swope
Roy Conway	W. H. Miller	R. Van Bever, Jr.
Harry Davis	John B. Mollett	Charles Wylie
Walter R. Fannin	J. C. Nickell	
G. W. Garrett	Russell O'Neill	—28

Resolved that the title thereof be as aforesaid.

Mr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 274. An Act amending Section 2739g-2 (A), Carroll's Kentucky Statutes, 1930 Edition, relating to the registration of automobiles and trucks and providing for the

change of the registration day from the first day of January of each year to the first day of March of each year.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 2739b-2 (A) be amended by striking therefrom the words "thereafter he shall register his automobile on or before the first day of January of each and every year" and adding in lieu thereof, "thereafter he shall register his automobile on or before the first day of March of each and every year so that when said Section is amended it shall read as follows:

"Before the owner or operator of an automobile shall operate or be permitted to operate same, or shall permit the operation of same upon any public highway, such owner shall register with the commission through the clerk in the county in which he resides or in the county in which the automobile is to be operated, making application for such registration to the clerk of such county on a blank to be furnished by the commission through the clerk, which application shall be accompanied by a bill of sale if the application be for registration of a new car, or by exhibiting the owner's registration receipt if such automobile has theretofore been registered, and thereafter he shall register his automobile on or before the first day of March of each and every year. Provided, that insofar as the owner is concerned registration with the clerk as required by law shall be deemed to be a a registration with the commission."

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said

bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Eugene Gough	Russell O'Neill
W. T. Baker	Ben Grogan	J. C. Ramey
G. M. Ballard	C. L. Hammons	Hobart Rayburn
B. F. Bedford	W. L. Hampton, Jr.	L. K. Rice
Ollie J. Bowen	Thomas W. Hines	Wade H. Riley
Wallace Brown	Price Holbrook	Joe E. Robinson
Dr. R. A. Byers	Clyde S. Howard	John C. Robinson
Jas. C. Carter	John M. Hunnicut	Carl Scheben
V. O. Chandler	Ben W. Johnson	Carl Schneider
Floyd Clark	J. H. Jones	Ray O. Shehan
Roscoe Claxon	O. C. Jones	Dr. B. F. Shields
George S. Clay	R. T. Kirkman	P. L. Sidebottom
J. A. Coleman	J. F. Ladd	Bruce Sloan
Roy Conway	Robert E. Lee	H. C. Steely
Herbert Cook	T. B. McConnell	Dr. H. S. Swope
Harry Davis	J. L. McDermott	W. R. Tapp
Sam Dever	W. F. McGary	J. J. Thomas
Stanley S. Dickson	Elmer McGlothen	R. Van Bever, Jr.
George W. Dunlap	John Marshall	S. J. Wagner
Howard G. Early	D. T. Matlack	Joseph L. Wall
Walter R. Fannin	Duke Mayfield	Henry Ward
T. P. Fitzpatrick	W. H. Miller	L. R. Wells
G. W. Garrett	John B. Mollett	W. G. Williams
Ferd A. Gnau	J. C. Nickell	Charles Wylie

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Resolved that the title thereof be as aforesaid.

Mr. Schneider moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Mr. Dickson of the Committee on Enrollment reported

that they had examined and found to be correctly enrolled, bills of the following titles, viz.:

S. B. 37. An Act appropriating $75.00 per month for the use of the widow and children of Robert Rowland.

S. B. 38. An Act appropriating $75.00 per month for the use of the widow and children of Powell Hayes.

Thereupon all other business was suspended, said bills were read at length and compared in open session and found to be correctly enrolled and thereupon, the Speaker in open session and in the presence of the House affixed his signature thereto.

Ordered that said bills be delivered to the Enrolling Clerk of the Senate.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 526. An Act relating to unfair competition and discrimination, making certain unfair and discriminatory practices unlawful, defining the duties of the Attorney General in regard thereto, declaring certain contracts illegal and forbidding recovery thereon, providing for actions to enjoin unfair competition and discrimination and to recover damages therefor, making the violation of the provisions of this Act a misdemeanor and providing penalties.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. It shall be unlawful for any person, firm, or corporation, doing business in the State of Kentucky and engaged in the production, manufacture, distribution or sale of

any commodity, or product, or service or output of a service trade, of general use or consumption, or the product or service of any public utility, with the intent to destroy the competition of any regular established dealer in such commodity, product, or service, or to prevent the competition of any person, firm, private corporation, or municipal or other public corporation, who or which in good faith, intends and attempts to become such dealer, to discriminate beeween different sections, communities or cities or portions thereof, or between different locations in such sections, communities cities or portions thereof in this State, by selling or furnishing such commodity, product or service at a lower rate in one section, community or city, or any portion thereof, or in one location in such section, community, or city or any portion thereof than in another after making allowance for difference, if any, in the grade or quality, and in actual cost of transportation, from the point of production, if a raw product or commodity, or from the point of manufacture if a manufactured product or commodity. Motion picture films when delivered and under a lease to motion picture houses shall not be deemed to be a commodity or product of general use, or consumption, under this Act. This Act shall not be construed to prohibit the meeting in good faith of a competitive rate, or to prevent a reasonable classification of service by public utilities for the purpose of establishing rates. The inhibition hereof against locality discrimination shall embrace any scheme of special rebates, collateral contracts or any device of any nature whereby such discrimination is, in substance or fact, effected in violation of the spirit and intent of this Act.

§ 2. Any person who, either as director, officer, or agent of any firm or corporation or as agent of any person, violating the provisions of this Act, assists or aids, directly or indirectly, in such violation shall be responsible therefor equally with the person, firm or corporation for whom or which he acts.

In the prosecution of any person as officer, director or agent it shall be sufficient to allege and prove the unlawful intent of the person, firm or corporation for whom or which he acts.

§ 3. It shall be unlawful for any person, partnership, firm, corporation, joint stock company, or other association engaged in business within this State, to sell, offer for sale or advertise for sale any article or product, or service or output of a service trade, at less than the cost thereof to such vendor, or give, offer to give or advertise the intent to give away any article or product, or service or output of a service trade for the purpose of injuring competitors and destroying competition, and he or it shall also be guilty of a misdemeanor and on conviction thereof shall be subject to the penalties set out in Section 11 of this Act for any such act.

The term "cost" as applied to production is hereby defined as including the cost of raw materials, labor and all overhead expenses of the producer; and as applied to distribution "cost" shall mean the invoice or replacement cost, whichever is lower, of the article or product to the distributor and vendor plus the cost of doing business by said distributor and vendor.

The "cost of doing business" or "overhead expense" is defined as all costs of doing business incurred in the conduct of such business and must include without limitation the following items of expense: Labor (including salaries of executives and officers), rent, interest on borrowed capital, depreciation, selling cost, maintenance of equipment, delivery costs, credit losses, all types of licenses, taxes, insurance and advertising.

§ 4. In establishing the cost of a given article or product to the distributor and vendor, the invoice cost of said article or product purchased at a forced bankrupt, closeout sale, or other sale outside of the ordinary channels of trade may not be used as a basis for justifying a price lower than one based upon the replacement cost as of date of said sale

of said article or product replaced through the ordinary channels of trade, unless said article or product is kept separate from goods purchased in the ordinary channels of trade and unless said article or produce is advertised and sold as merchandise purchased at a forced bankrupt, closeout sale, or by means other than through the ordinary channels of trade, and said advertising shall state the conditions under which said goods were so purchased, and the quantity of such merchandise to be sold or offered for sale.

§ 5. In any injunction proceeding or in the prosecution of any person as officer, director or agent, it shall be sufficient to allege and prove the unlawful intent of the person, firm or corporation for whom or which he acts. Where a particular trade or industry, of which the person, firm or corporation complained against is a member, has an established cost survey for the locality and vicinity in which the offense is committed, the said cost survey shall be deemed competent evidence to be used in proving the costs of the person, firm or corporation complained against within the provisions of this Act.

§ 6. The provisions of Sections 3, 4 and 5 shall not apply to any sale made:

(a) In closing out in good faith the owner's stock or any part thereof for the purpose of discounting his trade in any such stock or commodity, and in the case of the sale of seasonal goods or to the bona fide sale of perishable goods to prevent loss to the vendor by spoilage or depreciation, provided notice is given to the public thereof;

(b) When the goods are damaged or deteriorated in quality and notice is given to the public thereof;

(c) By an officer acting under the orders of any court;

(d) In an endeavor made in good faith to meet the legal prices of a competitor as herein defined selling the same article or product, or service or output of a service trade, in the same locality or trade area.

Any person, firm or corporation who performs work upon, renovates, alters or improves any personal property belonging to another person, firm or corporation, shall be construed to be a vendor within the meaning of this act.

§ 7. The secret payment or allowance of rebates, refunds, commissions, or unearned discounts, whether in the form of money or otherwise, or secretly extending to certain purchasers special services or privileges not extended to all purchasers purchasing upon like terms and conditions, to the injury of a competitor, and where such payment or allowance tends to destroy competition, is an unfair trade practice, and any person, firm, partnership, corporation, or association resorting to such trade practice shall be deemed guilty of a misdemeanor and on conviction thereof shall be subject to the penalties set out in Section 11 of this Act.

§ 8. Upon the third violation of any of the provisions of Sections 1 to 7, inclusive, of this Act, by any corporation, it shall be the duty of the Attorney General to institute proper suits or quo warranto proceedings in any court of competent jurisdiction for the forfeiture of its charter, rights, franchises or privileges and powers exercised by such corporation, and to permanently enjoin it from transacting business in this state. If in such action the court shall find that such corporation is violating or has violated any of the provisions of Sections 1 to 7, inclusive, of this Act, it must enjoin said corporation from doing business in this state permanently or for such time as the court shall order, or must annul the charter, or revoke the franchise of such corporation.

§ 9. Any contract, express or implied, made by any person, firm or corporation in violation of any of the provisions of Sections 1 to 7, inclusive, of this Act, is declared to be an illegal contract and no recovery thereon shall be had.

§ 10. Any person, firm, private corporation or municipal or other public corporation, or trade association, may maintain an action to enjoin a continuance of any act or acts

in violation of Sections 1 to 7, inclusive, of this act, and if injured thereby, for the recovery of damages. If, in such action, the court shall find that the defendant is violating or has violated any of the provisions of Sections 1 to 7, inclusive, of this Act, it shall enjoin the defendant from a continuance thereof. It shall not be necessary that actual damages to the plaintiff be alleged or proved. In addition to such injunctive relief, the plaintiff in said action shall be entitled to recover from the defendant three times the amount of the actual damages, if any, sustained.

Any defendant in an action brought under the provisions of this section may be required to testify; in addition, the books and records of any such defendant may be brought into court and introduced, by reference, into evidence; provided, however, that no information so obtained may be used against the defendant as a basis for a misdemeanor prosecution under the provisions of Sections 1 to 7, inclusive, and 11, of this Act.

§ 11. Any person, firm or corporation, whether as principal, agent, officer, or director, for himself, or itself, or for another person, or for any firm or corporation, or any corporation who or which shall violate any of the provisions of Sections 1 to 7, inclusive, of this Act, is guilty of a misdemeanor for each single violation and upon conviction thereof shall be punished by a fine of not less than one hundred ($100) dollars nor more than one thousand ($1,000) dollars, or by imprisonment not exceeding six months or by both said fine and imprisonment, in the discretion of the court.

§ 12. If any section, sentence, clause or phrase of this Act is for any reason held to be unconstitutional such decision shall not affect the validity of the remaining portions of the Act. The Legislature hereby declares that it would have passed this Act, and each section, sentence, clause or phrase thereof, irrespective of the fact that any or more other sections, sentences, clauses or phrases be declared unconstitutional. The remedies herein prescribed are cumulative.

§ 13. The Legislature declares that the purpose of this Act is to safeguard the public against the creation or perpetuation of monopolies and to foster and encourage competition by prohibiting unfair and discriminatory practices by which fair and honest competition is destroyed or prevented. This Act shall be literally construed that its beneficial purposes may be subserved.

§ 14. This Act shall be known and designated as the "Unfair Practices Act."

§ 15. This Act is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety, within the meaning of Section 55 of the Constitution, and shall therefore go into immediate effect.

Mr. Wylie offered the following amendment to said bill, viz.:

Amend H. B. 526 by striking out Section 15, page 7, which reads as follows: "This act is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety, within the meaning of Section 55 of the Constitution, and shall therefore go into immediate effect."

Said amendment was agreed to.

The yeas and nays being required thereon by Messrs. Brown and Wylie were as follows, viz.:

Those who voted in the affirmative were—

W. T. Baker	Sam Dever	Chas. P. Farnsley
Wallace Brown	Stanley S. Dickson	T. P. Fitzpatrick
Jas. C. Carter	George W. Dunlap	James Garnett, Jr.
Roscoe Claxon	Howard G. Early	G. W. Garrett
Harry Davis	Walter R. Fannin	Ferd A. Gnau

Eugene Gough	John Marshall	Dr. B. F. Shields
Ben Grogan	D. T. Matlack	Bruce Sloan
C. L. Hammons	Duke Mayfield	W. R. Tapp
Thomas W. Hines	W. H. Miller	J. J. Thomas
Price Holbrook	Tyler Munford	R. Van Bever, Jr.
John M. Hunnicut	J. C. Ramey	S. J. Wagner
J. F. Ladd	Hobart Rayburn	Joseph L. Wall
Robert E. Lee	Wade H. Riley	L. R. Wells
J. L. McDermott	Joe E. Robinson	Charles Wylie
W. F. McGary	John C. Robinson	
Elmer McGlothen	Carl Scheben	—46

Those who voted in the negative were—

Henry H. Allen	O. C. Jones	Carl Schneider
Ollie J. Bowen	T. B. McConnell	P. L. Sidebottom
V. O. Chandler	John B. Mollett	Dr. H. S. Swope
George S. Clay	J. C. Nickell	Henry Ward
W. L. Hampton, Jr.	Russell O'Neill	W. G. Williams
Ben W. Johnson	Mel Petry	
J. H. Jones	L. K. Rice	—19

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, said bill was read the third time by its title only, and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Ollie J. Bowen	Roscoe Claxon	George W. Dunlap
Wallace Brown	Herbert Cook	Howard G. Early
Jas. C. Carter	Sam Dever	Walter R. Fannin
Floyd Clark	Stanley S. Dickson	Chas. P. Farnsley

T. P. Fitzpatrick	Robert E. Lee	Dr. B. F. Shields
G. W. Garrett	J. L. McDermott	P. L. Sidebottom
Eugene Gough	W. F. McGary	Bruce Sloan
Ben Grogan	Elmer McGlothen	Dr. H. S. Swope
C. L. Hammons	D. T. Matlack	W. R. Tapp
Thomas W. Hines	Duke Mayfield	R. Van Bever, Jr.
Price Holbrook	W. H. Miller	S. J. Wagner
Clyde S. Howard	Tyler Munford	Henry Ward
John M. Hunnicut	Rodes K. Myers	L. R. Wells
O. C. Jones	Carl Scheben	Charles Wylie
J. F. Ladd	Ray O. Shehan	

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Those who voted in the negative were—

Henry H. Allen	Ben W. Johnson	Hobart Rayburn
W. T. Baker	J. H. Jones	L. K. Rice
Reuben J. Boling	T. B. McConnell	Wade H. Riley
V. O. Chandler	John B. Mollett	Joe E. Robinson
George S. Clay	J. C. Nickell	John C. Robinson
J. A. Coleman	Russell O'Neill	Carl Schneider
Ferd A. Gnau	Mel Petry	Joseph L. Wall
W. L. Hampton, Jr.	J. C. Ramey	W. G. Williams

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Resolved that the title thereof be as aforesaid.

Mr. Wylie moved that the vote by which said bill was passed, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 236. An Act providing that the publication of a fair and impartial report or the publication of the whole or a fair synopsis of any bill, report, resolution, bulletin, notice, petition or proceeding before any State or City legislative or

executive body, board, or officer, or the publication of any pleading, indictment, warrant or other document in any criminal or civil action or proceeding in any court of competent jurisdiction shall be privileged, unless it shall be proved that such publication was maliciouly made.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

The publication of a fair and impartial report of the proceedings before any State or City Legislative or Executive body, board of officers, or the whole or a fair synopsis of any bill, report, resolution, bulletin, notice, petition, or other document presented, filed, or used in any proceeding before any State or City Legislative or Executive body, board or officer, shall be privileged, unless it shall be proved that such publication was maliciously made.

The publication of a fair and impartial report or the whole or a synopsis of any indictment, warrant, affidavit, pleading or other document in any criminal or civil action or proceeding in any court of competent jurisdiction, shall be privileged, unless it is proved that the same was published maliciously, or that the defendant has refused or neglected upon request of the plaintiff to publish a reasonable explanation or contradiction thereof, giving the explanation or contradiction the same prominence and space as given the original publication, or that the publisher has refused upon the request of the plaintiff to publish the subsequent determination of such suit or proceeding. Provided that nothing in this Act shall authorize the publication of any indecent matter.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Ben Grogan	J. C. Ramey
W. T. Baker	C. L. Hammons	Hobart Rayburn
Reuben J. Boling	W. L. Hampton, Jr.	L. K. Rice
Ollie J. Bowen	Thomas W. Hines	Wade H. Riley
Wallace Brown	Price Holbrook	Joe E. Robinson
Jas. C. Carter	Clyde S. Howard	John C. Robinson
V. O. Chandler	John M. Hunnicut	Carl Scheben
Floyd Clark	J. H. Jones	Carl Schneider
Roscoe Claxon	O. C. Jones	Ray O. Shehan
George S. Clay	J. F. Ladd	Dr. B. F. Shields
J. A. Coleman	Robert E. Lee	P. L. Sidebottom
Roy Conway	T. B. McConnell	Bruce Sloan
Herbert Cook	J. L. McDermott	H. C. Steely
Harry Davis	W. F. McGary	Dr. H. S. Swope
Sam Dever	Elmer McGlothen	W. R. Tapp
Stanley S. Dickson	D. T. Matlack	J. J. Thomas
George W. Dunlap	Duke Mayfield	R. Van Bever, Jr.
Howard G. Early	G. S. Milam	S. J. Wagner
Walter R. Fannin	W. H. Miller	Joseph L. Wall
Chas. P. Farnsley	John B. Mollett	Henry Ward
T. P. Fitzpatrick	Tyler Munford	L. R. Wells
James Garnett, Jr.	Rodes K. Myers	W. G. Williams
G. W. Garrett	J. C. Nickell	Charles Wylie
Ferd A. Gnau	Russell O'Neill	
Eugene Gough	Mel Petry	—73

Resolved that the title thereof be as aforesaid.

Mr. Munford moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House

took up for consideration from the Orders of the Day, a bill entitled:

H. B. 5. An Act to amend and re-enact Section 1 of Chapter 145 of the 1934 Acts of the General Assembly of Kentucky, creating a Public Service Commission and providing for the regulation and control of utilities within the Commonwealth of Kentucky as the word "utilities" is therein defined, and being Section 3952-1 of the Kentucky Statutes as shown by Baldwin's 1934 supplement to Carroll's Kentucky Statutes, 1930 Edition.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Section 1. *Definitions.*

(a) The term "corporation", when used in this act, includes private, quasi public and public corporations, an association, a joint stock association, or a business trust.

(b) The term "person", when used in this act, includes a natural person, a partnership, or two or more persons having a joint or common interest, and a corporation as hereinbefore defined.

(c) The term "utility" or "utilities", when used in this act, shall mean and include persons and corporations or their lessees, trustees or receivers that now or may hereafter own, control, operate or manage (1) any facility used or to be used for or in connection with the generation, production, transmission or distribution of electricity to or for the public for compensation for lights, heat, power or other uses; (2) any facility used or to be used for or in connection with the production, manufacture, storage, distribution, sale or furnishing to or for the public for compensation natural or manufactured gas, or a mixture of same, for light, heat, power or other uses; (3) any facility used or to be used for or in connection with the transporting or conveying of gas, crude oil

or other fluid substance by pipe line to or for the public for compensation; (4) any facility used or to be used for or in connection with the diverting, developing, pumping, impounding, distributing or furnishing water to or for the public for compensation; (5) any facility used or to be used for or in connection with the transmission or conveyance over wire, in the air or otherwise, of any message either by telephone or telegraph for the public for compensation; (6) any facility used or to be used for or in connection with the transportation of persons or property by street, suburban or interurban railways for the public for compensation: Provided, however, that for the purposes of this act the term "utility" or "utilities" shall not mean or include any city or town owning, controlling, operating or managing any facility or facilities enumerated in this paragraph.

(d) The term "facility" or "facilities" when used in this act, shall be constructed in its broadest and most inclusive sense and shall include all property, real, personal, tangible and intangible, and all other means and instrumentalities in any manner, owed, operated, leased, licensed, or used, furnished or supplied for, by, or in connection with the business of any utility.

(e) The term "rate", when used in this act, shall mean and include the plural number as well as the singular, and every individual or joint rate fare, toll, charge, rental or other compensation for service rendered or to be rendered by any utility, and every rule, regulation, practice, act, requirement or privilege in any way relating to such rate, fare, toll, charge or other compensation, and any schedule or tariff, or part of a schedule or tariff thereof.

(f) The term "service", when used in this act, is used in its broadest and most inclusive sense, and includes every practice or requirement in any way relating to the service of any utility, including the voltage of electricity; the heat units, the pressure of gas; the purity, pressure and quantity of

water, and in general the quality, quantity, and pressure of any commodity or product used or to be used for or in connection with the business of any utility.

(g) The term "commission", when used in this act, shall refer to and mean the Public Service Commission of Kentucky, unless otherwise indicated.

(h) The term "commissioner", when used in this act, shall mean one of the members of the commission.

Mr. Milam moved that the House do now adjourn.

Said motion was disagreed to.

The yeas and nays being required thereon by Messrs. Milam and Munford, were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	C. L. Hammons	Rodes K. Myers
Reuben J. Boling	T. B. McConnell	J. J. Thomas
Floyd Clark	G. S. Milam	R. Van Bever, Jr.
Howard G. Early	Tyler Munford	—11

Those who voted in the negative were—

W. T. Baker	Ferd A. Gnau	W. F. McGary
Ollie J. Bowen	Eugene Gough	Elmer McGlothen
Wallace Brown	Ben Grogan	D. T. Matlack
Jas. C. Carter	W. L. Hampton, Jr.	Duke Mayfield
V. O. Chandler	Thomas W. Hines	John B. Mollett
Roscoe Claxon	Price Holbrook	J. C. Nickell
George S. Clay	Clyde S. Howard	Russell O'Neill
J. A. Coleman	John M. Hunnicut	Mel Petry
Roy Conway	Ben W. Johnson	J. C. Ramey
Stanley S. Dickson	J. H. Jones	L. K. Rice
George W. Dunlap	O. C. Jones	Wade H. Riley
Walter R. Fannin	J. F. Ladd	Joe E. Robinson
Chas. P. Farnsley	Robert E. Lee	John C. Robinson
T. P. Fitzpatrick	J. L. McDermott	Carl Scheben

Carl Schneider	Dr. H. S. Swope	Henry Ward
Dr. B. F. Shields	W. R. Tapp	L. R. Wells
P. L. Sidebottom	S. J. Wagner	W. G. Williams
H. C. Steely	Joseph L. Wall	Charles Wylie

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Mr. Hunnicutt offered the following amendment to said bill, viz.:

Amend H. B. 5 by inserting after the word "town" in line 30, the following: "or water districts established in pursuance of Chapter 139, Acts 1926, and amendments thereto."

Said amendment was agreed to.

Mr. Milam moved that the consideration of said bill be postponed indefinitely.

Said motion was disagreed to.

The yeas and nays being required thereon by Messrs. Milam and Munford were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Robert E. Lee	Rodes K. Myers
Howard G. Early	G. S. Milam	Wade H. Riley
C. L. Hammons	Tyler Munford	

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Those who voted in the negative were—

W. T. Baker	Roy Conway	Ferd A. Gnau
Ollie J. Bowen	Sam Dever	Eugene Gough
Wallace Brown	Stanley S. Dickson	Ben Grogan
Jas. C. Carter	George W. Dunlap	W. L. Hampton, Jr.
V. O. Chandler	Walter R. Fannin	Thomas W. Hines
Roscoe Claxon	Chas. P. Farnsley	Price Holbrook
George S. Clay	T. P. Fitzpatrick	Clyde S. Howard
J. A. Coleman	G. W. Garrett	John M. Hunnicut

Ben W. Johnson	J. C. Nickell	P. L. Sidebottom
J. H. Jones	Russell O'Neill	Chester D. Silvers
O. C. Jones	Mel Petry	H. C. Steely
J. F. Ladd	J. C. Ramey	Dr. H. S. Swope
T. B. McConnell	Hobart Rayburn	W. R. Tapp
J. L. McDermott	L. K. Rice	J. J. Thomas
W. F. McGary	Joe E. Robinson	S. J. Wagner
Elmer McGlothen	John C. Robinson	Joseph L. Wall
D. T. Matlack	Carl Scheben	Henry Ward
Duke Mayfield	Carl Schneider	L. R. Wells
W. H. Miller	Ray O. Shehan	W. G. Williams
John B. Mollett	Dr. B. F. Shields	Charles Wylie

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Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Walter R. Fannin	J. H. Jones
Ollie J. Bowen	Chas. P. Farnsley	O. C. Jones
Wallace Brown	T. P. Fitzpatrick	J. F. Ladd
Jas. C. Carter	G. W. Garrett	Robert E. Lee
V. O. Chandler	Ferd A. Gnau	T. B. McConnell
Floyd Clark	Eugene Gough	J. L. McDermott
Roscoe Claxon	Ben Grogan	W. F. McGary
George S. Clay	W. L. Hampton, Jr.	Elmer McGlothen
J. A. Coleman	Thomas W. Hines	D. T. Matlack
Roy Conway	Price Holbrook	Duke Mayfield
Sam Dever	Clyde S. Howard	W. H. Miller
Stanley S. Dickson	John M. Hunnicut	John B. Mollett
George W. Dunlap	Ben W. Johnson	Russell O'Neill

Mel Petry	Carl Scheben	W. R. Tapp
J. C. Ramey	Carl Schneider	J. J. Thomas
Hobart Rayburn	Ray O. Shehan	S. J. Wagner
L. K. Rice	Dr. B. F. Shields	Henry Ward
Wade H. Riley	P. L. Sidebottom	L. R. Wells
Joe E. Robinson	H. C. Steely	W. G. Williams
John C. Robinson	Dr. H. S. Swope	Charles Wylie

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Those who voted in the negative were—

G. S. Milam	Rodes K. Myers	R. Van Bever, Jr.
Tyler Munford	J. C. Nickell	

—5

Resolved that the title thereof be as aforesaid.

Mr. Ward moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Mr. Gnau moved that when the House adjourn, it adjourn to meet again on Thursday, February 13, at ten o'clock A. M.

Said motion was agreed to.

Mr. Myers moved that the Rules of this House be suspended and that the House take up for immediate consideration all bills which are now in the Orders of the Day and that said bills be passed on one roll call.

Mr. Milam moved that the House do now adjourn.

Said motion was disagreed to.

The motion as made by Mr. Myers was then withdrawn by unanimous consent.

At the instance of the Committee on Rules the House took

up for consideration from the Orders of the Day, a bill entitled:

H. B. 479. An Act providing that teachers, instructors, professors and administrative officers in any school, college, university or other education institution, within the Commonwealth of Kentucky that is supported in whole or in part by funds derived from state, county, city, or district taxation, shall take and subscribe to the oath prescribed for and administered to public officers, pursuant to the provisions of the Constitution of the Commonwealth of Kentucky, and providing penalty for violation of this act.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Every teacher, instructor, professor and administrative officer in any school, college, university or other educational institution, within the Commonwealth of Kentucky that is supported in whole or in part by funds derived from state, county, city or district taxation, shall, upon receiving a certificate to teach and before delivery of the same, or at the time of signing a contract of employment as a teacher, instructor, professor or administrative officer in such schools, colleges, universities, or educational institutions for a period of service therein, take and subscribe to the oath prescribed for and administered to public officers, pursuant to the provisions of the Constitution of the Commonwealth of Kentucky, before any officer authorized by law to administer oaths, and shall file a copy of the same in the office of the State Superintendent of Public Instruction.

§ 2. It shall be unlawful for any officer, board or person having the employment, dismissal or suspension of teachers, instructors, professors or administrative officers in any school, college, university or educational institution referred

to herein to permit a person to serve as a teacher, instructor, professor or administrative officer therein without having first complied with the provisions of this act. Any teacher, instructor, professor or administrative officer referred to herein who shall willfully disobey or neglect to obey the provisions of this act shall be deemed guilty of a misdemeanor, and subject to a fine of not less than $10.00, and not more than $100.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Thomas W. Hines	Russell O'Neill
Reuben J. Boling	Price Holbrook	J. C. Ramey
Wallace Brown	Clyde S. Howard	Hobart Rayburn
Jas. C. Carter	John M. Hunnicut	Wade H. Riley
Roscoe Claxon	Ben W. Johnson	Carl Scheben
George S. Clay	J. H. Jones	Ray O. Shehan
J. A. Coleman	O. C. Jones	Dr. B. F. Shields
Roy Conway	J. F. Ladd	F. L. Sidebottom
Harry Davis	Robert E. Lee	W. R. Tapp
Sam Dever	J. L. McDermott	J. J. Thomas
Stanley S. Dickson	Elmer McGlothen	R. Van Bever, Jr.
Chas. P. Farnsley	D. T. Matlack	S. J. Wagner
T. P. Fitzpatrick	G. S. Milam	Henry Ward
G. W. Garrett	W. H. Miller	L. R. Wells
Ferd A. Gnau	Tyler Munford	W. G. Williams
C. L. Hammons	Rodes K. Myers	Charles Wylie

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Those who voted in the negative were—

Ben Grogan	Duke Mayfield	Chester D. Silvers
W. F. McGary	Mel Petry	Joseph L. Wall

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Resolved that the title thereof be as aforesaid.

Mr. Myers moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 114. An Act relating to the trapping of fur-bearing animals.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That it shall hereafter be unlawful for any person in this state to set, maintain or use for the capture of fur-bearing animals any trap or other device not designed either to kill at once or to take alive unhurt. Provided, that since the farmer must at all times deal with predators, he shall have the right to set any kind of trap he pleases within 150 feet of his dwelling, poultry-house, barn, or other building used for livestock or for storage of grain.

§ 2. That it shall be unlawful for any person to set any trap on the land of another person without written permission from the owner of the land; and that it shall be unlawful for any person to let more than 24 hours elapse without visiting every trap he sets.

§ 3. Any violation of this law, or of any part of it, shall

be subject to a fine of not less than ten or more than fifty dollars.

Mr. Grogan moved that said bill be laid on the table.

Said motion was disagreed to.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only and rejected, having failed to receive the necessary two-fifths of the votes of all the members elected.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

George S. Clay	J. H. Jones	Russell O'Neill
Roy Conway	J. F. Ladd	Mel Petry
Stanley S. Dickson	Robert E. Lee	Carl Scheben
George W. Dunlap	T. B. McConnell	Dr. B. F. Shields
Howard G. Early	J. L. McDermott	P. L. Sidebottom
Chas. P. Farnsley	W. F. McGary	Chester D. Silvers
T. P. Fitzpatrick	Elmer McGlothen	S. J. Wagner
Ferd A. Gnau	Duke Mayfield	Henry Ward
Price Holbrook	John B. Mollett	L. R. Wells
John M. Hunnicut	Tyler Munford	Charles Wylie
Ben W. Johnson	Rodes K. Myers	—32

Those who voted in the negative were—

Henry H. Allen	Floyd Clark	Ben Grogan
Reuben J. Boling	Roscoe Claxon	C. L. Hammons
Ollie J. Bowen	J. A. Coleman	Thomas W. Hines
Wallace Brown	Sam Dever	Clyde S. Howard
Jas. C. Carter	G. W. Garrett	O. C. Jones

D. T. Matlack	Hobart Rayburn	Ray O. Shehan
W. H. Miller	Wade H. Riley	J. J. Thomas
J. C. Nickell	Joe E. Robinson	Joseph L. Wall
J. C. Ramey	John C. Robinson	W. G. Williams

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Mr. Munford moved that the House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

THURSDAY, FEBRUARY 13, 1936.

The House was opened with prayer by the Reverend E. W. Baxter of the Episcopal Church of Frankfort, Kentucky.

The roll was called and the following members answered to their names, viz.:

F. T. Allen	Roy Conway	Jas. T. Hamilton
Henry H. Allen	Herbert Cook	C. L. Hammons
C. W. Anderson, Jr.	Harry Davis	Thomas W. Hines
H. T. Baker	Sam Dever	Price Holbrook
W. T. Baker	Stanley S. Dickson	Clyde S. Howard
G. M. Ballard	George W. Dunlap	Ira W. Hulette
B. F. Bedford	Howard G. Early	John M. Hunnicut
Reuben J. Boling	Garland Embry	Ben W. Johnson
Douglas Bolling	Walter R. Fannin	J. H. Jones
Ollie J. Bowen	Chas. P. Farnsley	O. C. Jones
Wallace Brown	T. P. Fitzpatrick	R. T. Kirkman
Dr. R. A. Byers	H. Myer Garner	J. F. Ladd
Jas. C. Carter	James Garnett, Jr.	Robert E. Lee
V. O. Chandler	G. W. Garrett	M. T. McCarthy
Floyd Clark	Ferd A. Gnau	T. B. McConnell
George S. Clay	Eugene Gough	J. L. McDermott
J. A. Coleman	Ben Grogan	Lloyd MacDonald

W. F. McGary	J. C. Ramey	H. C. Steely
Elmer McGlothen	Hobart Rayburn	Henry Stewart
C. S. Matherly	Harry C. Records	Dr. H. S. Swope
D. T. Matlack	L. K. Rice	W. R. Tapp
Duke Mayfield	Wade H. Riley	J. J. Thomas
G. S. Milam	Joe E. Robinson	R. Van Bever, Jr.
W. H. Miller	John C. Robinson	S. J. Wagner
John B. Mollett	W. T. Rollo	Joseph L. Wall
W. E. Mull	A. W. Ross	Henry Ward
Tyler Munford	Carl Scheben	L. R. Wells
Rodes K. Myers	Carl Schneider	W. G. Williams
J. C. Nickell	Ray O. Shehan	Charles Wylie
Russell O'Neill	Dr. B. F. Shields	Mr. Speaker
Mel Petry	P. L. Sidebottom	
A. W. Pfeiffer	Chester D. Silvers	

Mr. Davis moved that the reading of the Journal of yesterday's proceedings be dispensed with.

Said motion was agreed to.

Mr. Tapp moved that the privilege of the floor be extended to Mr. Moses R. Glenn of Dawson Springs, Kentucky.

Said motion was agreed to.

Mr. Coleman moved that the privilege of the floor be extended to Messrs. Sherman Cooper, Clyde Hubble and Mrs. John W. Langley.

Said motion was agreed to.

Mr. Howard moved that the privilege of the floor be extended to Miss Carrie Riney.

Said motion was agreed to.

Mr. Munford moved that the privilege of the floor be

extended to Messrs. Porter Land, Robert E. Beatty, and Sterling Towles.

Said motion was agreed to.

Mr. O. C. Jones moved that that the privilege of the floor be extended to Mr. and Mrs. Chas. Marsell.

Said motion was agreed to.

Mr. Lee offered the following resolution, viz.:

Whereas, the General Assembly has by vote agreed to adjourn sine die on Saturday, February 15, 1936, and

Whereas, there are some two to three hundred bills and resolutions offered that for lack of time have not been able to receive proper consideration, and

Whereas, many of these bills are meritorious and have been approved by the Rules committee, and should be enacted into laws: Therefore,

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

That the vote by which the data of the sine die adjournment was fixed at February 15, 1936, be reconsidered and that this regular session be extended four more working days, in order to give these bills proper consideration, and that the date of sine die adjournment be fixed at February 20, 1936, and

Be it Further Resolved, That the Chief Clerk of this House be directed to deliver a copy of this resolution to the Senate and immediately ask the concurrence of that Honorable body.

Said resolution was disagreed to.

Mr. Scheben offered the following resolution, viz.:

RESOLUTION FROM CAMPBELL 67

Whereas, measures have been presented to the General Assembly which would impose a tax upon business establishments from other States transacting business in the State of Kentucky, and whereas certain sections of the Commonwealth of Kentucky are in need of legislation in order to protect their respective commercial activities, and whereas such legislation usually militates against other sections of the Commonwealth: *Be it Resolved*:

That the distinguished and honorable Commissioners known as the Reorganization Commission are hereby most respectfully requested to consider the drafting of legislation that will broaden the powers of the County Governments of the Commonwealth of Kentucky to the end that the said County Governments may effectively regulate the commercial conditions within their respective counties. That the Commission is further requested to consider restrictions that may be imposed upon the Counties of the State so as not to precipitate a trade war.

That the Clerk of the House of Representatives is hereby authorized to send a copy of the resolution to the Reorganization Commission.

Furthermore, that this resolution shall become a part of the Journal of the House of Representatives of the Commonwealth of Kentucky.

Said resolution was adopted.

Mr. McDermott offered the following resolution, viz.:

Be it Resolved by the House of Representatives of the Commonwealth of Kentucky:

Whereas, new sources of employment are absolutely vital for the further employment of the surplus employable citizens of this state and particularly to provide employment for the students now in our schools and universities, and

Whereas, the invention or discovery of new uses for some of our natural resources and abundant crops will provide new sources of employment: Therefore,

Be it Resolved by the House of Representatives:

That the president of the University of Kentucky is hereby requested to suggest means and plans, as soon as possible, for the establishment of a research and experimental laboratory designed to promote research and experiments in the field of finding new uses for the natural resources and abundant crops of this state to the end that new sources of employment might result and that the recommendations of the president of the University of Kentucky be so devised as to guide the General Assembly in making provisions for the establishment of such a laboratory.

Said resolution was agreed to.

Mr. McDermott offered the following resolution, viz.:

Whereas, Public facilities for the care of tubercular patients in the State are inadequate, and therefore cause much unnecessary suffering and inconvenience to those afflicted: Therefore,

Be it Resolved by the House of Representatives:

That the State Board of Health be requested to prepare recommendations for the type of State tubercular sanitorium most feasible in a location east and west of Louisville and present these recommendations together with cost estimates for creation and maintenance of such institutions to the Special Session considering subjects relating to State Institutions.

Said resolution was adopted.

Mr. Myers offered the following resolution, viz.:

Whereas, His Excellency, the Governor of the Common-

wealth of Kentucky, has stated that he desires to call the General Assembly of Kentucky in Extraordinary Session shortly after the adjournment of the Regular session, and

Whereas, Members of the House desire a few days recess between the Regular Session of the General Assmbly and the Extraordinary Session: Now, Therefore,

Be it Resolved by the House of Representatives:

That it is the desire and wish of said body that the Governor not call the General Assembly in Special Session sooner than February 24th, and permit the members of this body to have at least a recess between sessions.

Be it Further Resolved, That a copy of this resolution be certified by the Clerk of this House and delivered to the Governor of the Commonwealth of Kentucky.

Said resolution was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 625. An Act to amend and re-enact a section of 4356t-5, pertaining to the primary system of public highways.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky.

That Chapter 267 of the Acts of 1932, being part of Section 4356t, Carroll's Kentucky Statutes, be and the same is hereby amended and re-enacted so that when so amended and re-enacted shall read as follows:

That a road beginning on Project Number 28, at or near the mouth of Grassy Creek, a tributary of Licking River, in Magoffin County and then running up Licking River and the Gardner-Bailey fork thereof to Salt Lick Gap, via Lick

Branch, Yellow Mountain, Mills Branch of Balls Fork of Troublesome Creek, Stewart Branch, up middle Fork of Stewart Branch to Deer Lick hollow, over to old Possum Trot Creek down same to R. 80, and Project No. 28, and thence to Hindman, Ky., over Route No. 80; thence up right hand fork of Troublesome Creek and to continue on the most feasible route to a point on State Route No. 15, near Cody, Knott County, Kentucky, be and the same is established as a part of the primary road system of the Commonwealth of Kentucky.

All act or parts of acts in conflict herewith are hereby repealed.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Roscoe Claxon	Eugene Gough
C. W. Anderson, Jr.	George S. Clay	Ben Grogan
H. T. Baker	J. A. Coleman	C. L. Hammons
W. T. Baker	Roy Conway	W. L. Hampton, Jr.
G. M. Ballard	Herbert Cook	Thomas W. Hines
B. F. Bedford	Harry Davis	Price Holbrook
Reuben J. Boling	Sam Dever	Clyde S. Howard
Ollie J. Bowen	Stanley S. Dickson	Ira W. Hulette
Wallace Brown	George W. Dunlap	John M. Hunnicut
Dr. R. A. Byers	Walter R. Fannin	Ben W. Johnson
Jas. C. Carter	James Garnett, Jr.	J. H. Jones
V. O. Chandler	G. W. Garrett.	O. C. Jones
Floyd Clark	Ferd A. Gnau	R. T. Kirkman

J. F. Ladd
Robert E. Lee
M. T. McCarthy
T. B. McConnell
J. L. McDermott
Lloyd MacDonald
W. F. McGary
Elmer McGlothen
John Marshall
Duke Mayfield
G. S. Milam
W. H. Miller
John B. Mollett
W. E. Mull
Tyler Munford
Rodes K. Myers
J. C. Nickell
Russell O'Neill
Mel Petry
A. W. Pfeiffer
J. C. Ramey
Hobart Rayburn
L. K. Rice
Wade H. Riley
Joe E. Robinson
John C. Robinson
W. T. Rollo
A. W. Ross
Carl Scheben
Carl Schneider
Ray O. Shehan
Dr. B. F. Shields
Chester D. Silvers
Bruce Sloan
H. C. Steely
Dr. H. S. Swope
W. R. Tapp
J. J. Thomas
R. Van Bever, Jr.
Joseph L. Wall
Henry Ward
L. R. Wells
W. G. Williams
Charles Wylie
—83

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 626. An Act to add to the primary system of roads of the Commonwealth of Kentucky, a road beginning at the mouth of Middle Fork at Route 60, going up Middle Fork to Ghose school house, thence on up to the Burgett school house, thence to the Wages school house and thence to the Town Flats, Breathitt County Line, thence down to the mouth of Frozen, connecting with Route No. 15, at Blanton bridge.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is hereby added to the primary system of

roads of the Commonwealth of Kentucky, a road beginning at the mouth of Middle Fork at Rout 60, going up Middle Fork to Ghose school house, thence on up to the Burgett school house, thence to the Wates school house and thence to the Town Flats, Breathitt county line, thence down to the mouth of Frozen, connecting with Route No. 15, at Blanton bridge.

That the construction, maintenance, supervision and control of said road shall be subject to and controlled by a provision of Chapter 17 of the Acts of the General Assembly of 1920, establishing and creating a primary system of State highways to the same effect, as if said road had been named in the original Act as one of the projects of the primary system of State highways as provided therein.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Floyd Clark	G. W. Garrett
C. W. Anderson, Jr.	Roscoe Claxon	Ferd A. Gnau
H. T. Baker	George S. Clay	Eugene Gough
W. T. Baker	J. A. Coleman	Ben Grogan
G. M. Ballard	Roy Conway	C. L. Hammons
B. F. Bedford	Herbert Cook	W. L. Hampton, Jr.
Reuben J. Boling	Harry Davis	Thomas W. Hines
Ollie J. Bowen	Sam Dever	Price Holbrook
Wallace Brown	Stanley S. Dickson	Clyde S. Howard
Dr. R. A. Byers	George W. Dunlap	Ira W. Hulette
Jas. C. Carter	Walter R. Fannin	John M. Hunnicut
V. O. Chandler	James Garnett, Jr.	Ben W. Johnson

J. H. Jones	W. E. Mull	Carl Schneider
O. C. Jones	Tyler Munford	Ray O. Shehan
R. T. Kirkman	Rodes K. Myers	Dr. B. F. Shields
J. F. Ladd	J. C. Nickell	Chester D. Silvers
Robert E. Lee	Russell O'Neill	Bruce Sloan
M. T. McCarthy	Mel Petry	H. C. Steely
T. B. McConnell	A. W. Pfeiffer	Dr. H. S. Swope
J. L. McDermott	J. C. Ramey	W. R. Tapp
Lloyd MacDonald	Hobart Rayburn	J. J. Thomas
W. F. McGary	L. K. Rice	R. Van Bever, Jr.
Elmer McGlothen	Wade H. Riley	Joseph L. Wall
John Marshall	Joe E. Robinson	Henry Ward
Duke Mayfield	John C. Robinson	L. R. Wells
G. S. Milam	W. T. Rollo	W. G. Williams
W. H. Miller	A. W. Ross	Charles Wylie
John B. Mollett	Carl Scheben	—83

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 628. An Act establishing as a part of the primary system of highways in this Commonwealth a road leading from Arch to Big Spring.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there be established as a part of the primary system of highways of this Commonwealth a road leading from Arch by way of Grand View Church to Big Spring.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	C. L. Hammons	Russell O'Neill
C. W. Anderson, Jr.	W. L. Hampton, Jr.	Mel Petry
H. T. Baker	Thomas W. Hines	A. W. Pfeiffer
W. T. Baker	Price Holbrook	J. C. Ramey
G. M. Ballard	Clyde S. Howard	Hobart Rayburn
B. F. Bedford	Ira W. Hulette	L. K. Rice
Reuben J. Boling	John M. Hunnicut	Wade H. Riley
Ollie J. Bowen	Ben W. Johnson	Joe E. Robinson
Wallace Brown	J. H. Jones	John C. Robinson
Dr. R. A. Byers	O. C. Jones	W. T. Rollo
Jas. C. Carter	R. T. Kirkman	A. W. Ross
V. O. Chandler	J. F. Ladd	Carl Scheben
Floyd Clark	Robert E. Lee	Carl Schneider
Roscoe Claxon	M. T. McCarthy	Ray O. Shehan
George S. Clay	T. B. McConnell	Dr. B. F. Shields
J. A. Coleman	J. L. McDermott	Chester D. Silvers
Roy Conway	Lloyd MacDonald	Bruce Sloan
Herbert Cook	W. F. McGary	H. C. Steely
Harry Davis	Elmer McGlothen	Dr. H. S. Swope
Sam Dever	John Marshall	W. R. Tapp
Stanley S. Dickson	Duke Mayfield	J. J. Thomas
George W. Dunlap	G. S. Milam	R. Van Bever, Jr.
Walter R. Fannin	W. H. Miller	Joseph L. Wall
James Garnett, Jr.	John B. Mollett	Henry Ward
G. W. Garrett	W. E. Mull	L. R. Wells
Ferd A. Gnau	Tyler Munford	W. G. Williams
Eugene Gough	Rodes K. Myers	Charles Wylie
Ben Grogan	J. C. Nickell	—83

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 629. An Act establishing as part of the primary system of State highways a road beginning at the Flemingsburg Junction and Mayslick State highway, Fleming County, Kentucky, running southwardly to the Elizaville and Mayslick State Highway, Fleming County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is hereby established as a part of the primary system of State highways of the Commonwealth of Kentucky a road beginning at the Flemingsburg Junction and Mayslick State highway, Fleming County, Kentucky, running southwardly to the Elizabeth and Mayslick State Highway, Fleming County, Kentucky, containing about one and one-half (1½) miles more or less.

That the construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920 and all other laws pertaining thereto establishing and creating the Primary System of State Highways, to the same effect as if said roads had been named in the original act as one of the projects of the Primary System of State Highways as provided therein.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	C. L. Hammons	Russell O'Neill
C. W. Anderson, Jr.	W. L. Hampton, Jr.	Mel Petry
H. T. Baker	Thomas W. Hines	A. W. Pfeiffer
W. T. Baker	Price Holbrook	J. C. Ramey
G. M. Ballard	Clyde S. Howard	Hobart Rayburn
B. F. Bedford	Ira W. Hulette	L. K. Rice
Reuben J. Boling	John M. Hunnicut	Wade H. Riley
Ollie J. Bowen	Ben W. Johnson	Joe E. Robinson
Wallace Brown	J. H. Jones	John C. Robinson
Dr. R. A. Byers	O. C. Jones	W. T. Rollo
Jas. C. Carter	R. T. Kirkman	A. W. Ross
V. O. Chandler	J. F. Ladd	Carl Scheben
Floyd Clark	Robert E. Lee	Carl Schneider
Roscoe Claxon	M. T. McCarthy	Ray O. Shehan
George S. Clay	T. B. McConnell	Dr. B. F. Shields
J. A. Coleman	J. L. McDermott	Chester D. Silvers
Roy Conway	Lloyd MacDonald	Bruce Sloan
Herbert Cook	W. F. McGary	H. C. Steely
Harry Davis	Elmer McGlothen	Dr. H. S. Swope
Sam Dever	John Marshall	W. R. Tapp
Stanley S. Dickson	Duke Mayfield	J. J. Thomas
George W. Dunlap	G. S. Milam	R. Van Bever, Jr.
Walter R. Fannin	W. H. Miller	Joseph L. Wall
James Garnett, Jr.	John B. Mollett	Henry Ward
G. W. Garrett	W. E. Mull	L. R. Wells
Ferd A. Gnau	Tyler Munford	W. G. Williams
Eugene Gough	Rodes K. Myers	Charles Wylie
Ben Grogan	J. C. Nickell	—83

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 631. An Act creating and establishing as a part of the primary system of highways of the Commonwealth of Kentucky a road from Highway No. 90 at Jim Lewis' to Thomas' store on Burkesville and Columbia highway, a distance of 6½ miles, in Cumberland County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Section 1. That there is hereby established as a part of the primary system of State highways of the Commonwealth of Kentucky, a road from Highway No. 90 at Jim Lewis' to Thomas' store on Burkesville and Columbia highway, a distance of 6½ miles, in Cumberland County.

Section 2. This road thus established to be entitled to receive all benefits of such laws as are now or may hereafter be in effect relating to the primary system of roads and highways in the Commonwealth of Kentucky.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	C. L. Hammons	Russell O'Neill
C. W. Anderson, Jr.	W. L. Hampton, Jr.	Mel Petry
H. T. Baker	Thomas W. Hines	A. W. Pfeiffer
W. T. Baker	Price Holbrook	J. C. Ramey
G. M. Ballard	Clyde S. Howard	Hobart Rayburn
B. F. Bedford	Ira W. Hulette	L. K. Rice
Reuben J. Boling	John M. Hunnicut	Wade H. Riley
Ollie J. Bowen	Ben W. Johnson	Joe E. Robinson
Wallace Brown	J. H. Jones	John C. Robinson
Dr. R. A. Byers	O. C. Jones	W. T. Rollo
Jas. C. Carter	R. T. Kirkman	A. W. Ross
V. O. Chandler	J. F. Ladd	Carl Scheben
Floyd Clark	Robert E. Lee	Carl Schneider
Roscoe Claxon	M. T. McCarthy	Ray O. Shehan
George S. Clay	T. B. McConnell	Dr. B. F. Shields
J. A. Coleman	J. L. McDermott	Chester D. Silvers
Roy Conway	Lloyd MacDonald	Bruce Sloan
Herbert Cook	W. F. McGary	H. C. Steely
Harry Davis	Elmer McGlothen	Dr. H. S. Swope
Sam Dever	John Marshall	W. R. Tapp
Stanley S. Dickson	Duke Mayfield	J. J. Thomas
George W. Dunlap	G. S. Milam	R. Van Bever, Jr.
Walter R. Fannin	W. H. Miller	Joseph L. Wall
James Garnett, Jr.	John B. Mollett	Henry Ward
G. W. Garrett	W. E. Mull	L. R. Wells
Ferd A. Gnau	Tyler Munford	W. G. Williams
Eugene Gough	Rodes K. Myers	Charles Wylie
Ben Grogan	J. C. Nickell	—83

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Calendar, bills of the following titles, viz.:

S. B. 151. An Act to repeal, amend and re-enact Section 36, Chapter 65 of the 1934 Acts, providing that the sheriff shall receive ten per cent for collecting the first five thousand dollars and four per cent upon the residue, for collecting all school taxes, and declaring an emergency to exist.

S. B. 193. An Act to repeal, amend, and re-enact Section 2985, Kentucky Statutes, concerning tax assessments in cities of the first class.

S. B. 194. An Act to repeal Section 2908, Kentucky Statutes, concerning entry by the assessor in cities of the first class, etc.

S. B. 195. An Act to relieve tax officials of cities of the first class against carrying uncollectable city tax, etc.

S. B. 196. An Act to repeal, amend, and re-enact Section 3001 concerning tax collections, etc.

S. B. 197. An Act to repeal, amend and re-enact Section 3037f-10, concerning supervision of the plumbing departments of cities of the first class.

S. B. 198. An Act repealing Chapter 112 of the Acts of the General Assembly of 1912, authorizing cities of the first class to adopt and provide for a system of pension for policemen; and their dependents, etc.

S. B. 199. An Act to repeal Chapter 122 of the Acts of 1912, authorizing cities of the first class to adopt and provide

for a system of pensions for retired and injured firemen and their dependents, etc.

S. B. 200. An Act to amend and re-enact Article 4 of Chapter 16 of the Acts of the General Assembly of 1906, authorizing compensation to members of the board of water works in cities of the first class.

S. B. 201. An Act to amend Chapter 16 of the Acts of 1928, by providing for the temporary commitment for care and observation of mental cases, to determine whether or not they are insane.

S. B. 202. An Act to amend and re-enact Section 2777, Carroll's Kentucky Statutes, relating to ordinances, how passed, how amended.

H. B. 635. An Act relating to the Primary System of Roads and Highways.

H. B. 636. An Act providing for a course of study as to effects of alcoholic beverages.

H. B. 637. An Act relating to the Primary System of Roads and Highways.

H. B. 638. An Act relating to the Primary System of Roads and Highways.

S. Res. 36. Resolution authorizing Malinda Saylor to file suit against the Commonwealth of Kentucky or State Highway.

S. Res. 33. Resolution authorizing William Cox to sue the Commonwealth and State Highway Commission.

S. Res. 35. Resolution authorizing Floyd Carnes to file

suit against the Commonwealth of Kentucky or State Highway or either.

S. Res. 40. Resolution authorizing Mrs. Alice Maher to sue the Commonwealth of Kentucky, and the Kentucky Emergency Relief Administration.

S. Res. 46. Resolution authorizing Wm. C. Wells and Mary Helen Wells, his wife, and Matt Wells who reside in Louisville to sue the Commonwealth of Kentucky.

S. Res. 44. A joint resolutions authorizing Jas. Lewis, an infant, his next friend, and Mrs. Ruth Lewis, his mother, to sue the Commonwealth of Kentucky.

S. B. 148. An Act to amend, repeal and re-enact Chapter 162 of the Acts of the regular session of 1934, relating to primary roads.

S. B. 176. An Act relating to the primary system of roads and highways.

S. B. 185. An Act relating to the primary system of roads and highways.

S. B. 167. An Act relating to the primary system of roads and highways.

S. B. 168. An Act relating to the primary system of roads and highways.

S. B. 183. An Act relating to the primary system of roads and highways.

S. B. 180. An Act relating to the primary system of roads and highways.

S. B. 70. An Act relating to the primary system of roads and highways.

S. B. 178. An Act relating to the primary system of roads and highways.

S. B. 164. An Act relating to the primary system of roads and highways.

S. B. 152. An Act relating to the primary system of roads and highways.

S. B. 162. An Act relating to the primary system of roads and highways.

S. B. 177. An Act relating to the primary system of roads and highways.

S. B. 188. An Act relating to the primary system of roads and highways.

S. B. 190. An Act relating to the primary system of roads and highways

S. B. 187. An Act relating to the primary system of roads and highways.

S. B. 175. An Act relating to the primary system of roads and highways.

S. B. 204. An Act relating to the primary system of roads and highways.

S. B. 256. An Act relating to the primary system of roads and highways.

S. B. 255. An Act relating to the primary system of roads and highways.

S. B. 261. An Act relating to the primary system of roads and highways.

S. B. 243. An Act relating to the primary system of roads and highways.

S. B. 161. An Act relating to the primary system of roads and highways.

S. B. 206. An Act relating to the primary system of roads and highways.

S. B. 231. An Act relating to the primary system of roads and highways.

S. B. 238. An Act relating to the primary system of roads and highways.

S. B. 239. An Act relating to the primary system of roads and highways.

S. B. 240. An Act relating to the primary system of roads and highways.

S. B. 205. An Act relating to the primary system of roads and highways.

S. B. 314. An Act to amend, repeal and re-enact Section 1991, Kentucky Statutes, 1935 Baldwin's Supplement, relating to the per diem of officers and employees of the General Assembly.

S. B. 312. An Act to amend and re-enact Section 965-29, Carroll's Kentucky Statutes, relating to the holding of circuit courts in 29 Judicial districts.

S. B. 285. An Act to amend and re-enact Section 101-1,

Kentucky Statutes, being Chapter 5, Section 1, of the Acts of 1934.

S. B. 41. An Act extending the power of the Public Service Commission.

Ordered that said bills be read the second time.

The Constitutional provision as to the second reading of said bills at length being dispensed with, said bills were read the second time by their titles only.

Ordered that said bills be placed in the Orders of the Day.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 153. An Act creating the office of stenographer to the County Attorney in counties containing cities of the third class. Prescribing the method of appointment and removal. Salary and the method of payment of said salary.

With a Committee amendment thereto.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That in all counties in this Commonwealth containing cities of the third class, there is hereby created the office of stenographer or clerk to the County Attorney. Said stenographer or clerk shall be appointed by the County Attorney for a term of four years, but may be removed at any time by the said County Attorney.

§ 2. Said stenographer shall receive a salary of not less than Six Hundred Dollars ($600.00) nor more than Twelve Hundred Dollars ($1,200.00) per annum, to be paid by the

Fiscal Court in such county, and shall be payable out of the county levy in said county in equal monthly installments.

§ 3. That this Act shall be in force and effect immediately upon it passage and approval.

Said amendment as offered by the Committee is as follows, viz.:

Amend H. B. 153 by inserting in line 2, between the words "created" and "the" the following words "subject to the discretion of the Fiscal Court or County Commissioners of said counties".

Said amendment was agreed to.

Mr. Conway offered the following amendment to said bill, viz.:

1. Amend H. B. 153 by adding the words "or having a population of fifty thousand (50,000) or over" immediately following the words "third Class" in Section 1 of said bill.

Said amendment was agreed to.

Ordered that said bill be engrossed, and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen Henry H. Allen C. W. Anderson, Jr.

H. T. Baker	James T. Hamilton	Rodes K. Myers
W. T. Baker	C. L. Hammons	J. C. Nickell
G. M. Ballard	Thomas W. Hines	Mel Petry
B. F. Bedford	Price Holbrook	A. W. Pfeiffer
Douglas Bolling	Clyde S. Howard	Harry C. Records
Wallace Brown	Ira W. Hulette	L. K. Rice
Dr. R. A. Byers	John M. Hunnicut	Wade H. Riley
Jas. C. Carter	Ben W. Johnson	W. T. Rollo
V. O. Chandler	O. C. Jones	A. W. Ross
Roscoe Claxon	R. T. Kirkman	Carl Scheben
George S. Clay	J. F. Ladd	Carl Schneider
J. A. Coleman	Robert E. Lee	Ray O. Shehan
Roy Conway	M. T. McCarthy	Dr. B. F. Shields
Herbert Cook	T. B. McConnell	P. L. Sidebottom
Sam Dever	J. L. McDermott	Chester D. Silvers
Stanley S. Dickson	Lloyd MacDonald	H. C. Steely
Garland Embry	W. F. McGary	Dr. H. S. Swope
Walter R. Fannin	Elmer McGlothen	W. R. Tapp
Chas. P. Farnsley	C. S. Matherly	J. J. Thomas
H. Myer Garner	D. T. Matlack	R. Van Bever, Jr.
James Garnett, Jr.	Duke Mayfield	S. J. Wagner
G. W. Garrett	G. S. Milam	Joseph L. Wall
Ferd A. Gnau	John B. Mollett	Henry Ward
Eugene Gough	W. E. Mull	L. R. Wells
Ben Grogan	Tyler Munford	W. G. Williams

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Those who voted in the negative were—

Reuben J. Boling J. H. Jones —2

Mr. Conway offered the following amendment to the title of said bill, viz.:

Amend the title to H. B. 153 by adding the words "or having a population of fifty thousand (50,000) or over" immediately after the words "third class".

Said amendment was agreed to.

Resolved that the title thereof be as amended.

Mr. Wells moved that the vote by which said bill was passed, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 113. An Act to amend the Civil Practice Act, in relation to declaring and carrying into effect the public policy of the State with respect to cause of action for alienation of affection, criminal conversation, seduction, and breach of contract to marry, actions thereon, contracts with respect thereto, and acts and proceedings in connection therewith.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. The civil practice act is hereby amended by inserting therein a new article, to be read as follows:

1-a. Declaration of Public Policy of State.

The remedies heretofore provided by law for the enforcement of actions based upon alleged alienation of affections, criminal conversation, seduction and breach of contract to marry, having been subjected to grave abuses, causing extreme annoyance, embarrassment, humiliation and pecuniary damage to many persons wholly innocent and free of any wrongdoing, who were merely the victims of circumstances, and such remedies having been exercised by unscrupulous persons for their unjust enrichment, and such remedies having furnished vehicles for the commission or attempted commission of crime and in many cases having resulted in the perpetration of frauds, it is hereby declared as the public policy of the

state that the best interest of the people of the state will be served by the abolition of such remedies. Consequently, in the public interest, the necessity for the enactment of this article is hereby declared as a matter of legislative determination.

1-b. Certain Causes of Action Hereafter Accruing Abolished.

The rights of action heretofore existing to recover sums of money as damage for the alienation of affection, criminal conversation, seduction, or breach of contract to marry are hereby abolished.

1-c. Certain Causes of Action Heretofore Barred by Lapse of Time.

1. All causes of action to recover a sum of money as damage for alienation of affection, criminal conversation, seduction, and breach of contract to marry, which have heretofore accrued, must be commenced within sixty days after this article takes effect.

2. All such actions to recover a sum of money for a breach of a presently existing contract to marry must be commenced within sixty days after the cause of action has accrued.

3. All such actions not so commenced shall be hereinafter completely and forever barred, for lapse of time.

1-d. Legal Effect of Certain Acts Hereinafter Occurring.

No act hereinafter done within the state shall operate to give rise, either within or without this state to any of the rights of action abolished by this article. No contract to marry, hereinafter made or entered into in this state shall operate to give rise to, either within or without this state, to any cause or right of action for breach thereof.

1-e. Certain Acts and Proceedings with Respect to Causes of Action Abolished or Barred by this Article Prohibited.

It shall hereafter be unlawful for any person, either as a party or attorney, or agent or other person in behalf of either, to file or serve, cause to be filed or served or threaten to file or serve, or to threaten to cause to be filed or served, any process or pleading, in any court of the state setting forth or seeking to recover a sum of money upon any cause of action abolished or barred by this article, whether such cause of action arose within or without the state.

1-f. Certain Contracts Void as Against Public Policy.

All contracts and instruments of every kind, name, nature or description, which may hereafter be executed within this state in payment, satisfaction, settlement or compromise of any claim or cause of action abolished or barred by this article whether such claim or cause of action arose within or without this state, are hereby declared to be contrary to the public policy of this state and absolutely void. It shall be unlawful to cause, induce or procure any person to execute such a contract or instrument; or cause, induce or procure any person to give, pay, transfer or deliver any money or thing of value in payment, satisfaction, settlement or compromise of any such claim or cause of action; or to receive, take or accept any such money or thing of value as such payment, satisfaction, settlement or compromise. It shall be unlawful to commence or cause to be commenced, either as party or attorney, or as agent or otherwise in behalf of either, in any court of this state, any proceedings or action seeking to enforce or recover upon any such contract or instrument, knowing it to be such, whether the same shall have been executed within or without this state; provided, however this section shall not apply to the payment, satisfaction, settlement or compromise of any causes of action which are not abolished or barred by this article, or any contracts or instruments heretofore executed, or to the bona fide holder in due course of any negotiable instrument which may hereafter be executed.

1-g. Penalties for Violation.

Any person who shall violate any of the provisions of this article shall be guilty of a felony which shall be punishable by a fine of not less than one thousand dollars nor more than five thousand dollars, or by imprisonment for a term of not less than one year nor more than five years, or by both such fine and imprisonment, in the discretion of the court.

1-h. Construction of Article.

This article shall be liberally construed to effectuate the objects and purposes therefor and the public policy of the state as hereby declared. If any clause, sentence, paragraph or part of this article shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not effect or impair or invalidate the remainder thereof, but shall be confined in its operation to the clause sentence, paragraph, or part thereof, directly involved in the controversy in which such judgment shall have been rendered. If the application of this article, or any part thereof, to any person or circumstances shall be adjudged by such court to be invalid or ineffectual for any reason, such judgment shall not affect the application of such article or part to any other person or circumstance.

1-i. Inconsistent Laws Superseded.

This article shall supersede all acts and parts of acts, inconsistent with this article, to the extent of such inconsistency, but in all other respects shall be deemed supplemental to such acts. Nothing contained in this article shall be construed as a repeal of any of the provisions of the penal code or code of criminal procedure or of any other law of this state relating to criminal or quasi-criminal proceedings.

This act shall take effect immediately.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Ben Grogan	J. C. Nickell
C. W. Anderson, Jr.	Jas. T. Hamilton	Mel Petry
H. T. Baker	Thomas W. Hines	A. W. Pfeiffer
W. T. Baker	Price Holbrook	J. C. Ramey
B. F. Bedford	Clyde S. Howard	Hobart Rayburn
Reuben J. Boling	Ira W. Hulette	Harry C. Records
Douglas Bolling	Ben W. Johnson	L. K. Rice
Dr. R. A. Byers	J. H. Jones	Wade H. Riley
V. O. Chandler	O. C. Jones	John C. Robinson
Floyd Clark	R. T. Kirkman	W. T. Rollo
Roscoe Claxon	J. F. Ladd	A. W. Ross
George S. Clay	Robert E. Lee	Carl Scheben
J. A. Coleman	M. T. McCarthy	Carl Schneider
Roy Conway	T. B. McConnell	Ray O. Shehan
Herbert Cook	J. L. McDermott	Dr. B. F. Shields
Sam Dever	W. F. McGary	P. L. Sidebottom
Stanley S. Dickson	D. T. Matlack	H. C. Steely
Garland Embry	Duke Mayfield	Dr. H. S. Swope
Walter R. Fannin	G. S. Milam	J. J. Thomas
Chas. P. Farnsley	W. H. Miller	R. Van Bever, Jr.
James Garnett, Jr.	John B. Mollett	Henry Ward
G. W. Garrett	W. E. Mull	L. R. Wells
Ferd A. Gnau	Tyler Munford	Charles Wylie
Eugene Gough	Rodes K. Myers	—71

Those who voted in the negative were—

G. M. Ballard	Lloyd MacDonald	W. R. Tapp
Wallace Brown	Elmer McGlothen	Joseph L. Wall
Jas. C. Carter	C. S. Matherly	W. G. Williams
H. Myer Garner	Chester D. Silvers	—11

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 566. An Act to amend and re-enact Section 2519, Kentucky Statutes, Carroll's Edition, 1930.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 2519, Kentucky Statutes, Carroll's Edition 1930, be amended and re-enacted so that when so amended and re-enacted same shall read as follows:

1. In actions for relief from fraud or mistake or damages for either the cause of action shall not be deemed to have accrued until the discovery of the fraud or mistake.

2. Actions for relief from fraud or mistake or damages for either shall be commenced within thirty years next after the cause of action accrued.

3. No action for fraud or mistake or damages for either shall be brought after the expiration of thirty years from the time of making the contract or the perpetration of the fraud.

4. All laws or parts of laws in conflict with this act are hereby repealed.

Mr. Hammons offered the following amendment to said bill, viz.:

Amend H. B. 566 by adding section thereto to read as follows:

That all laws or parts of laws in the Kentucky Statutes are hereby repealed.

Said amendment was disagreed to.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only and rejected.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Roscoe Claxon	J. F. Ladd	A. W. Ross
Sam Dever	J. L. McDermott	Carl Scheben
T. P. Fitzpatrick	Lloyd MacDonald	W. R. Tapp
John M. Hunnicut	W. H. Miller	J. J. Thomas
Ben W. Johnson	Tyler Munford	S. J. Wagner
J. H. Jones	Rodes K. Myers	Joseph L. Wall

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Those who voted in the negative were—

Henry H. Allen	Walter R. Fannin	W. F. McGary
C. W. Anderson, Jr.	Chas. P. Farnsley	Elmer McGlothen
H. T. Baker	H. Myer Garner	C. S. Matherly
G. M. Ballard	James Garnett, Jr.	D. T. Matlack
B. F. Bedford	G. W. Garrett	Duke Mayfield
Reuben J. Boling	Ferd A. Gnau	G. S. Milam
Douglas Bolling	Eugene Gough	John B. Mollett
Wallace Brown	Ben Grogan	W. E. Mull
Dr. R. A. Byers	Jas. T. Hamilton	J. C. Nickell
Jas. C. Carter	C. L. Hammons	Mel Petry
V. O. Chandler	W. L. Hampton, Jr.	A. W. Pfeiffer
Floyd Clark	Thomas W. Hines	J. C. Ramey
J. A. Coleman	Price Holbrook	Hobart Rayburn
Roy Conway	Clyde S. Howard	Harry C. Records
Herbert Cook	Ira W. Hulette	L. K. Rice
Harry Davis	O. C. Jones	Wade H. Riley
Garland Embry	R. T. Kirkman	John C. Robinson

W. T. Rollo	Dr. B. F. Shields	H. C. Steely
Carl Schneider	P. L. Sidebottom	Dr. H. S. Swope
Ray O. Shehan	Chester D. Silvers	Henry Ward

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Dr. Shields moved that the vote by which said bill was rejected be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a resolution entitled:

H. Res. 63. A Resolution providing for a committee to be appointed by the State Board of Education to make a study of teachers retirement systems and to recommend to the 1938 Legislature a teachers' retirement system for the Commonwealth of Kentucky, and appropriating five thousand dollars to bear the expense of such a study.

Said resolution is as follows, viz.:

Whereas, Many states in the Union now have Teachers' Retirement Systems in operation, and

Whereas, There is a great demand for such a system in Kentucky, and

Whereas, No definite program for such a system can be provided without a careful study of all phases of the subject: Therefore,

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

That the State Board of Education is hereby authorized and directed to appoint an unpaid commission of three members to make a careful study of teacher retirement systems and to recommend to the 1938 Legislature a teacher retirement plan suitable for adoption in Kentucky. An appropri-

ation of five thousand dollars ($5,000), or so much thereof as may be needed, is hereby authorized for this study.

Mr. Silvers offered the following amendment to said resolution, viz.:

Amend H. Res. 63 by striking from said resolution the words and figures "five thousand ($5,000) dollars" and inserting in lieu thereof the words and figures "one thousand ($1,000) dollars".

Said amendment was agreed to.

Ordered that said resolution be engrossed and read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with and the same being engrossed, said resolution was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Floyd Clark	H. Myer Garner
C. W. Anderson, Jr.	Roscoe Claxon	G. W. Garrett
H. T. Baker	George S. Clay	Eugene Gough
W. T. Baker	J. A. Coleman	Ben Grogan
G. M. Ballard	Roy Conway	Jas. T. Hamilton
B. F. Bedford	Herbert Cook	C. L. Hammons
Reuben J. Boling	Sam Dever	W. L. Hampton, Jr.
Douglas Bolling	Stanley S. Dickson	Thomas W. Hines
Wallace Brown	Garland Embry	Price Holbrook
Dr. R. A. Byers	Walter R. Fannin	Clyde S. Howard
Jas. C. Carter	Chas. P. Farnsley	Ira W. Hulette
V. O. Chandler	T. P. Fitzpatrick	John M. Hunnicut

Ben W. Johnson	G. S. Milam	P. L. Sidebottom
J. H. Jones	John B. Mollett	Chester D. Silvers
O. C. Jones	Tyler Munford	H. C. Steely
J. F. Ladd	Rodes K. Myers	Dr. H. S. Swope
Robert E. Lee	Mel Petry	W. R. Tapp
M. T. McCarthy	A. W. Pfeiffer	J. J. Thomas
T. B. McConnell	Hobart Rayburn	R. Van Bever, Jr.
J. L. McDermott	Harry C. Records	S. J. Wagner
Lloyd MacDonald	Wade H. Riley	Joseph L. Wall
W. F. McGary	A. W. Ross	L. R. Wells
C. S. Matherly	Carl Scheben	W. G. Williams
Duke Mayfield	Dr. B. F. Shields	—81

Those who voted in the negative were—

George W. Dunlap	R. T. Kirkman	W. T. Rollo
James Garnett, Jr.	W. H. Miller	
Ferd A. Gnau	L. K. Rice	—7

Mr. Silvers offered the following amendment to the title of said resolution, viz.:

Amend the title to H. Res. 63 by striking out the words and figures "five thousand ($5,000) dollars" and insert in lieu thereof the words and figures "one thousand ($1,000) dollars".

Said amendment was agreed to.

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said resolution was passed, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House

took up for consideration from the Orders of the Day, a bill entitled:

H. B. 334. An Act to amend and re-enact Section 4238, Kentucky Statutes, 1933 Supplement to Carroll's 1930 Edition, relating to revenue and taxation, so as to limit the State tax on the recording of chattel mortgage.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonmonwealth of Kentucky:

§ 1. That Section 4238, Kentucky Statutes, 1933 Supplement to Carroll's 1930 Edition, be and the same is amended and re-enacted so that said section as amended and re-enacted shall read as follows:

On each original action or proceeding in the circuit court, commencing with or without original process, and on each original action or proceeding in other courts, when the amount in controversy, exclusive of interest and cost, exceeds fifty dollars ($50.00); on each appeal to the circuit or quarterly court; on each traverse or forcible entry or detainer; on each proceeding to revive a judgment, fifty cents (fifty cents); on each deed or power of attorney to convey real or personal estate, or any mortgage or conveyance of real or personal property, or lien or conveyance of coal, oil, gas or other mineral right or privilege, one dollar ($1.00), but no tax shall be paid on any chattel mortgage unless the amount exceeds two hundred dollars ($200.00), and on each marriage license, three dollars and fifty cents ($3.50), and on the seal of any court, required by law to keep a seal, fifty cents (50c), except for license authorized by the state; on each appeal to the court of appeals, two dollars ($2.00), on each verdict of a petit jury in civil cases in the circuit court, four dollars ($4.00). The tax shall be paid when the parties withdraw a jury or the plaintiff sustains a non-suit after the jury is sworn. On filing and registering a plat and certificate of sur-

vey, and issuing and recording patent thereon, one charge, which shall be paid before the survey is filed, but not to apply to a survey heretofore filed in register's office, two dollars and fifty cents ($2.50) for each survey consisting of ten acres or less, and five dollars ($5.00) for each survey in excess of ten acres; for filing a caveat, twenty-five cents (25c); for filing a copy of judgment of a court in a case of a caveat, mandamus or other proceeding affecting the land office, or the duties of the register, twenty-five cents (25c); for issuing a land warrant, one dollar ($1.00); for each official certificate with seal of office affixed, one dollar ($1.00); for a copy of a plat, fifty cents (50c); for a copy of a course and distances of any patent or survey, fifty cents (50c); for a copy of an entry or land warrant, fifty cents (50c); for a copy of an assignment, twenty-five cents (25c); for a copy of a caveat, two cents (2c) for every twenty words; for a copy of any writing not specifically provided for, two cents (2c) for every twenty words.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with said bill was read the third time by its title only, and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

C. W. Anderson, Jr.	Dr. R. A. Byers	Harry Davis
H. T. Baker	Jas. C. Carter	Sam Dever
W. T. Baker	V. O. Chandler	George W. Dunlap
G. M. Ballard	Roscoe Claxon	Garland Embry
B. F. Bedford	George S. Clay	Walter R. Fannin
Reuben J. Boling	J. A. Coleman	T. P. Fitzpatrick
Douglas Bolling	Roy Conway	H. Myer Garner
Wallace Brown	Herbert Cook	James Garnett, Jr.

G. W. Garrett	Robert E. Lee	Hobart Rayburn
Ferd A. Gnau	M. T. McCarthy	Harry C. Records
Eugene Gough	T. B. McConnell	Joe E. Robinson
Ben Grogan	J. L. McDermott	John C. Robinson
Jas. T. Hamilton	Lloyd MacDonald	Carl Scheben
C. L. Hammons	W. F. McGary	Carl Schneider
W. L. Hampton, Jr.	Elmer McGlothen	Dr. B. F. Shields
Thomas W. Hines	C. S. Matherly	P. L. Sidebottom
Price Holbrook	D. T. Matlack	Bruce Sloan
Clyde S. Howard	Duke Mayfield	Dr. H. S. Swope
Ira W. Hulette	W. H. Miller	W. R. Tapp
John M. Hunnicut	John B. Mollett	J. J. Thomas
Ben W. Johnson	W. E. Mull	Joseph L. Wall
J. H. Jones	Rodes K. Myers	Henry Ward
O. C. Jones	Mel Petry	L. R. Wells
R. T. Kirkman	A. W. Pfeiffer	Charles Wylie
J. F. Ladd	J. C. Ramey	—74

There voted in the negative—

W. T. Rollo —1

Resolved that the title thereof be as aforesaid.

Mr. Wall moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Mr. Wall moved that the vote by which a bill entitled:

H. B. 114. An Act relating to the trapping of fur-bearing animals.

Was rejected on yesterday, be reconsidered.

Mr. Reuben Boling moved that the motion as made by Mr. Wall be laid on the table.

Said motion was disagreed to.

The yeas and nays being required thereon by Messrs. Gnau and McCarthy, were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	George W. Dunlap	J. C. Ramey
H. T. Baker	G. W. Garrett	Hobart Rayburn
B. F. Bedford	Ben Grogan	Wade H. Riley
Reuben J. Boling	C. L. Hammons	Joe E. Robinson
Wallace Brown	Thomas W. Hines	John C. Robinson
V. O. Chandler	Clyde S. Howard	A. W. Ross
Floyd Clark	Ira W. Hulette	Carl Scheben
Roscoe Claxon	O. C. Jones	Ray O. Shehan
J. A. Coleman	J. F. Ladd	H. C. Steely
Herbert Cook	D. T. Matlack	J. J. Thomas
Stanley S. Dickson	W. H. Miller	W. G. Williams

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Those who voted in the negative were—

C. W. Anderson, Jr.	John M. Hunnicut	A. W. Pfeiffer
W. T. Baker	Ben W. Johnson	Harry C. Records
G. M. Ballard	J. H. Jones	L. K. Rice
Douglas Bolling	R. T. Kirkman	W. T. Rollo
Dr. R. A. Byers	Robert E. Lee	Carl Schneider
George S. Clay	M. T. McCarthy	Dr. B. F. Shields
Roy Conway	T. B. McConnell	P. L. Sidebottom
Sam Dever	Elmer McGlothen	Chester D. Silvers
Garland Embry	Duke Mayfield	Dr. H. S. Swope
T. P. Fitzpatrick	G. S. Milam	S. J. Wagner
Ferd A. Gnau	John B. Mollett	Joseph L. Wall
W. L. Hampton, Jr.	W. E. Mull	Henry Ward
Price Holbrook	Mel Petry	Charles Wylie

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The motion as made by Mr. Wall was then agreed to.

The yeas and nays being required thereon by Messrs. Gnau and Wall, were as follows, viz.:

Those who voted in the affirmative were—

C. W. Anderson, Jr.	W. L. Hampton, Jr.	Mel Petry
H. T. Baker	Price Holbrook	A. W. Pfeiffer
W. T. Baker	John M. Hunnicut	Harry C. Records
E. F. Bedford	Ben W. Johnson	L. K. Rice
Douglas Bolling	J. H. Jones	Wade H. Riley
Dr. R. A. Byers	R. T. Kirkman	W. T. Rollo
V. O. Chandler	Robert E. Lee	Carl Schneider
George S. Clay	M. T. McCarthy	Dr. B. F. Shields
Roy Conway	T. B. McConnell	P. L. Sidebottom
Sam Dever	J. L. McDermott	Chester D. Silvers
George W. Dunlap	Elmer McGlothen	Bruce Sloan
Garland Embry	C. S. Matherly	Dr. H. S. Swope
Walter R. Fannin	Duke Mayfield	W. R. Tapp
T. P. Fitzpatrick	G. S. Milam	S. J. Wagner
James Garnett, Jr.	John B. Mollett	Joseph L. Wall
Ferd A. Gnau	W. E. Mull	Henry Ward
Eugene Gough	Tyler Munford	Charles Wylie

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Those who voted in the negative were—

Henry H. Allen	Ben Grogan	Hobart Rayburn
Reuben J. Boling	C. L. Hammons	Joe E. Robinson
Wallace Brown	Thomas W. Hines	John C. Robinson
Jas. C. Carter	Clyde S. Howard	A. W. Ross
Floyd Clark	Ira W. Hulette	H. C. Steely
Roscoe Claxon	J. F. Ladd	R. Van Bever, Jr.
J. A. Coleman	D. T. Matlack	W. G. Williams
Herbert Cook	W. H. Miller	
Harry Davis	J. C. Ramey	

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Thereafter such reconsideration, the House took up for consideration said bill.

(For bill see House Journal of yesterday.)

Mr. Davis offered the following amendment to said bill, viz.:

Amend H. B. 114 by adding the following:

Section 4. Since the trapping season is drawing to a close an emergency is declared to exist and this act shall become a law upon its passage and approval by the Governor.

Said amendment was disagreed to.

Mr. Cook offered the following amendment to said bill, viz.:

Amend H. B. 114 by adding after line 4, Section 2, page 1, "That it shall not be unlawful to continue the use of traps now owned."

Said amendment was agreed to.

Mr. Gnau moved the Previous Question.

Thereupon the Speaker announced "Shall the Main Question be now put?"

Which was decided in the affirmative.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen C. W. Anderson, Jr. W. T. Baker

Douglas Bolling	Ben W. Johnson	W. T. Rollo
George S. Clay	J. H. Jones	Carl Scheben
Stanley S. Dickson	R. T. Kirkman	Carl Schneider
George W. Dunlap	M. T. McCarthy	Dr. B. F. Shields
Howard G. Early	T. B. McConnell	Chester D. Silvers
Chas. P. Farnsley	J. L. McDermott	Dr. H. S. Swope
T. P. Fitzpatrick	Elmer McGlothen	S. J. Wagner
H. Myer Garner	Duke Mayfield	Joseph L. Wall
James Garnett, Jr.	W. E. Mull	Henry Ward
Ferd A. Gnau	Tyler Munford	L. R. Wells
Eugene Gough	Russell O'Neill	Charles Wylie
W. L. Hampton, Jr.	Mel Petry	John Kirtley
Price Holbrook	A. W. Pfeiffer	
John M. Hunnicut	L. K. Rice	

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Those who voted in the negative were—

H. T. Baker	Garland Embry	John B. Mollett
B. F. Bedford	Walter R. Fannin	J. C. Nickell
Reuben J. Boling	G. W. Garrett	J. C. Ramey
Ollie J. Bowen	Ben Grogan	Hobart Rayburn
Wallace Brown	C. L. Hammons	Harry C. Records
Jas. C. Carter	Thomas W. Hines	Wade H. Riley
V. O. Chandler	Clyde S. Howard	Joe E. Robinson
Floyd Clark	Ira W. Hulette	John C. Robinson
Roscoe Claxon	O. C. Jones	A. W. Ross
J. A. Coleman	J. F. Ladd	Ray O. Shehan
Roy Conway	W. F. McGary	Bruce Sloan
Herbert Cook	C. S. Matherly	H. C. Steely
Harry Davis	D. T. Matlack	J. J. Thomas
Sam Dever	W. H. Miller	W. G. Williams

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The vote thereon having resulted in a tie, the name of the Speaker was then called by the Chief Clerk, the Speaker voting in the affirmative.

Mr. Gnau offered the following amendment to the title of said bill, viz.:

Amend the title to said bill by adding thereto "This Act to be known as the Lucy Furnam Humanitarian Effort".

Said amendment was agreed to.

Resolved that the title thereof be as amended.

Mr. Gnau moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 551. An Act empowering the State Highway Commission as the sole authority to erect road markers designating state or federal highways or routes and prohibiting any other person from erecting such markers and providing penalties for violation of same.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Public highway as used in this act means every state or federal road or highway in this state whether within or without the corporate limits of any municipality.

§ 2. The State Highway Commission shall have the sole right and authority to erect signs, markers or emblems for the purpose of designating any public highway as an official highway of this Commonwealth or of designating any road or route as being official.

§ 3. It shall be unlawful for any person or persons, firm, corporation or partnership to erect on or near the public highways of this Commonwealth any sign, marker or

emblem for the purpose of designating such public highway as official, or that is similar to or like the signs, markers and emblems used by the State Highway Department for the designation of such highways and all such signs, markers or emblems heretofore erected by said person or persons, firm, corporation or partnership, shall be taken down by the person erecting same within three months after the effective date of this Act.

§ 4. Any person or persons, firm, corporation or partnership who violates any of the provisions of this act shall be fined not less than five nor more than one hundred dollars for each such offense and each day shall be considered a separate offense.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Sam Dever	Clyde S. Howard
C. W. Anderson, Jr.	Stanley S. Dickson	Ira W. Hulette
H. T. Baker	Howard G. Early	John M. Hunnicut
W. T. Baker	Garland Embry	Ben W. Johnson
Douglas Bolling	Chas. P. Farnsley	J. H. Jones
Wallace Brown	James Garnett, Jr.	R. T. Kirkman
Dr. R. A. Byers	G. W. Garrett	J. F. Ladd
Jas. C. Carter	Ferd A. Gnau	M. T. McCarthy
V. O. Chandler	Eugene Gough	J. L. McDermott
George S. Clay	W. L. Hampton, Jr.	Elmer McGlothen
J. A. Coleman	Thomas W. Hines	D. T. Matlack
Harry Davis	Price Holbrook	Duke Mayfield

G. S. Milam	A. W. Pfeiffer	Bruce Sloan
John B. Mollett	L. K. Rice	H. C. Steely
W. E. Mull	W. T. Rollo	Dr. H. S. Swope
Tyler Munford	A. W. Ross	W. R. Tapp
Rodes K. Myers	Carl Scheben	J. J. Thomas
Russell O'Neill	Carl Schneider	Henry Ward
Mel Petry	Dr. B. F. Shields	

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Those who voted in the negative were—

Reuben J. Boling	C. S. Matherly	John C. Robinson
Roscoe Claxon	W. H. Miller	Ray O. Shehan
Herbert Cook	J. C. Nickell	Chester D. Silvers
H. Myer Garner	J. C. Ramey	R. Van Bever, Jr.
Ben Grogan	Hobart Rayburn	Joseph L. Wall
C. L. Hammons	Harry C. Records	L. R. Wells
Lloyd MacDonald	Wade H. Riley	W. G. Williams
W. F. McGary	Joe E. Robinson	Charles Wylie

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Resolved that the title thereof be as aforesaid.

Mr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 94. An Act to amend and re-enact Sections 547 and 613 of Carroll's Kentucky Statutes, 1930 Edition, and Section 595, Carroll's Kentucky Statutes, 1930 Edition, as amended by Chapter 1 of the Acts of the Extraordinary Session of the General Assembly of the Commonwealth of Kentucky of 1933, so as to provide for the elimination of double liability of stockholders in banks, trust companies. and combined banks and trust companies.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Sections 547 and 613 of Carroll's Kentucky Statutes, 1930 Edition, and Section 595, Carroll's Kentucky Statutes, 1930 Edition, as amended by Chapter 1 of the Acts of the Extraordinary Session of the General Assembly of the Commonwealth of Kentucky of 1933, relating to the double liability of stockholders in banks, trust companies, and combined banks and trust companies, be and the same are hereby amended and re-enacted so as to read as follows, to wit:

"§ 547. *Stockholders; liability of; action to enforce; limitation.*—The stockholders of each corporation shall be liable to creditors for the full amount of the unpaid part of stock subscribed for by them, and no stockholder shall be liable because of being a stockholder, for any sum more than to the amount of the unpaid part of stock held by such stockholder of any company, except stockholders in guaranty companies, investment companies and insurance companies shall be liable equally and ratably, and not one for the other, for all contracts and liabilities of such corporation to the extent of the amount of their stock at par value, in addition to the amount of such stock; but persons holding stock as fiduciaries shall not be personally liable as stockholders, but the estates in their hands shall be liable, in the same manner and to the same extent as the property of other stockholders, and no transfer of stock shall operate as a release of any such liability existing at the time of such transfer; Provided, the action to enforce such liability shall be commenced within two years from the time of transfer."

"§ 613. *Double liability of stockholders; action to enforce; list of stockholders to be filed.*—The stockholders of each company organized under this article shall be individually responsible, equally and ratably, and not one for the other, for all contracts and liabilities of such corporation to

the extent of the amount of their stock at par value, in addition to the amount of such stock; but persons holding stock as fiduciaries shall not be personally liable as stockholders; but the estates in their hands shall be liable in the same manner, and to the same extent, as the property of other stockholders; and no transfer of stock shall operate as a release of any such liability existing at the time of such transfer, provided the action to enforce such liability shall be commenced within two years after the time of the transfer; and the directors of each corporation shall, in January of each year, file with the secretary of state a correct list of the stockholders and officers of such corporation.

The additional liability herein imposed upon shareholders in trust companies and combined banks and trust companies organized under the laws of this State shall not apply with respect to shares in any such trust companies or combined banks and trust companies issued after the date of the enactment of this act.

The additional liability herein provided for shall cease on July 1, 1937, or on such date as double liability of stockholders in national banks ceases under the national bank laws, with respect to all shares issued by any such trust company or combined bank and trust company in this State which shall be transacting business on the above date; Provided, that not less than six months prior to such date such trust company or combined bank and trust company shall have caused notice of such prospective termination of liability to be published in a newspaper published in the city, town or county in which such trust company or combined bank and trust company is located, and if no newspaper is published in such city, town or county then in a newspaper of general circulation therein. If such trust company or combined bank and trust company fails to give such notice as and when above provided, a termination of such additional liability may thereafter be accom-

plished as of the date six months subsequent to publication in the manner above provided."

"§ 595. *Double liability of stockholders; non-assessable preferred stock.*—The stockholders of each bank organized under this article shall be individually responsible, equally and ratably, and not one for the other, for all contracts and liabilities of such bank to the extent of the amount of their stock at par value in addition to the amount of such stock; but persons holding stock as fiduciaries shall not be personally liable as stockholders, but the estate in their hands shall be liable in the same manner and to the same extent as the property of other stockholders; and no transfer of stock shall operate as a release of any such liability existing at the time of such transfer, provided the action to enforce such liability shall be commenced within two years from the time of the transfer; and the directors of each bank shall, in January of each year, file with the secretary of state a correct list of the stockholders and officers of such bank.

The additional liability herein imposed upon shareholders in banks organized under the laws of this State shall not apply with respect to shares in any such banks issued after the date of the enactment of this act. Such additional liability shall cease on July 1, 1937, or at such date as the double liability of stockholders in national banks ceases under the national bank laws, with respect to all shares issued by any such bank in this State which shall be transacting the business of banking on the above date; Provided, that not less than six months prior to such date such bank shall have caused notice of such prospective termination of liability to be published in a newspaper published in the city, town or county in which such bank is located, and if no newspaper is published in such city, town or county then in a newspaper of general circulation therein. If such bank fail to give such notice as and when above provided, a termination of such additional liability may thereafter be accomplished as of the date six

months subsequent to publication in the manner above provided.

Any bank or trust company, or combined bank and trust company, heretofore or hereafter organized under the laws of this Commonwealth, may issue non-assessable preferred capital stock, of one or more classes, to which the double liability shall not apply.

Such preferred capital stock shall not be considered as any part of the minimum 'capital stock' required by Section 577, Kentucky Statutes, Carroll's Edition 1930 (Acts of 1893, c. 171, § 40), but shall be considered a part of the 'capital stock' of such bank or trust company, or combined bank and trust company, for all other purposes, and in the case of existing corporations shall be issued in the manner now provided for increasing capital stock.

The holders of such preferred capital stock shall be entitled to receive cumulative dividends at a rate not exceeding six per cent, per annum and shall have such voting and conversion rights, and such control of management, and such preference over the holders of common stock in the event of liquidation, as may be provided in the original or amended articles of incorporation under which said stock is issued.

No issue of preferred stock shall be valid until the par value of all stock so issued shall be paid in."

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen C. W. Anderson, Jr. H. T. Baker

W. T. Baker
B. F. Bedford
Douglas Bolling
Ollie J. Bowen
Wallace Brown
V. O. Chandler
Roscoe Claxon
George S. Clay
J. A. Coleman
Roy Conway
Herbert Cook
Sam Dever
Stanley S. Dickson
George W. Dunlap
Howard G. Early
Garland Embry
Walter R. Fannin
Chas. P. Farnsley
T. P. Fitzpatrick
James Garnett, Jr.
Ferd A. Gnau
Eugene Gough
Ben Grogan
Jas. T. Hamilton
C. L. Hammons
W. L. Hampton, Jr.
Clyde S. Howard
Ira W. Hulette
John M. Hunnicut
Ben W. Johnson
J. H. Jones
O. C. Jones
R. T. Kirkman
J. F. Ladd
M. T. McCarthy
T. B. McConnell
J. L. McDermott
W. F. McGary
Elmer McGlothen
C. S. Matherly
D. T. Matlack
Duke Mayfield
G. S. Milam
W. H. Miller
John B. Mollett
W. E. Mull
Tyler Munford
Rodes K. Myers
Russell O'Neill
A. W. Pfeiffer
J. C. Ramey
Harry C. Records
Wade H. Riley
John C. Robinson
W. T. Rollo
A. W. Ross
Carl Scheben
Ray O. Shehan
Dr. B. F. Shields
P. L. Sidebottom
Chester D. Silvers
H. C. Steely
Dr. H. S. Swope
W. R. Tapp
J. J. Thomas
R. Van Bever, Jr.
S. J. Wagner
Joseph L. Wall
Henry Ward
L. R. Wells
W. G. Williams
Charles Wylie

—75

There voted in the negative—

Jas. C. Carter

—1

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 95. An Act pertaining to banks, trust companies and combined banks and trust companies and to amend Section 579, Kentucky Statutes, Carroll's Edition 1930, to provide exemption and limitation on the security required by law to secure government or any other deposits required by law to be secured by any bank or trust company or combined bank and trust company which is a stockholder in the Federal Deposit Insurance Corporation.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 579, Kentucky Statutes, Carroll's Edition 1930, be and is hereby amended by adding at the conclusion of said section the following words:

"or for any other deposit required by law to be secured; Provided that any bank or trust company or combined bank and trust company which is a stockholder in the Federal Deposit Insurance Corporation, where the deposits in such bank or trust company or combined bank and trust company are insured according to the provisions of the national banking law, shall only be required to secure any government deposits in excess of the amount insured by the Federal Deposit Insurance Corporation."

—so that said section when amended will read as follows:

"§ 579. *Business; when may begin; powers of corporation; power to discount evidences of debt; pledge of assets for secured deposits.* When the articles are filed and recorded as above provided it may commence business and shall thereupon become a body corporate and to be known by and carry on its business in its corporate name, and as such shall have power to adopt and use a corporate seal; to make contracts; sue and be sued; to appoint, remove and elect officers, define their duties, and require from any of them a bond for the faithful discharge of their duties; to prescribe,

by its board of directors, by-laws for the government of the bank not inconsistent with law; to exercise, subject to law, such powers as may be necessary to carry on the business of banking by discounting and negotiating notes, drafts, bills of exchange, and other evidences of debt, and purchasing bonds, receiving deposits, and allowing interest thereon, buying and selling exchange, coin and bullion, and lending money on personal or real security, as provided in this article. Any bank or trust company may accept for payment at a future date drafts of exchange drawn upon it by its customers and issue letters of credit authorizing the holders thereof to draw drafts upon it or its correspondents at sight or on time, not exceeding one year, and may also accept drafts or bills of exchange drawn upon it, having not more than six months' sight to run, growing out of transactions involving the importation and exportation of goods, and any bank or trust company may discount acceptances which are based upon the importation or exportation of goods and which have a maturity at time of discount of not more than three months and are indorsed by at least one other bank or trust company, but no bank or trust company shall accept such drafts or bills of exchange to an amount equal at any time in the aggregate to more than one-half of its paid-up and unimpaired capital stock and surplus, except by authority of the banking commissioner under such general regulations as said commissioner may prescribe, and in no event to an amount exceeding the capital stock and surplus of such bank or trust company; and such regulations shall apply to all banks or trust companies alike regardless of the amount of capital stock and surplus. In addition to the powers heretofore conferred upon and now possessed by banks, trust companies and combined banks and trust companies doing business under the laws of this state, they are hereby authorized and empowered subject to existing statutory or charter limitations to pledge such portion of their assets as may be required by law as collateral

security for government deposits made with them, or any of them, by or under the authority of the United States, or for any other deposit required by law to be secured; Provided that any bank or trust company or combined bank and trust company which is a stockholder in the Federal Deposit Insurance Corporation, where the deposits in such bank or trust company or combined bank and trust company are insured according to the provisions of the national banking law, shall only be required to secure any government deposits or any other deposit required by law to be secured in excess of the amount insured by the Federal Deposit Insurance Corporation."

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitutios were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Herbert Cook	James T. Hamilton
C. W. Anderson, Jr.	Sam Dever	C. L. Hammons
H. T. Baker	Stanley S. Dickson	W. L. Hampton, Jr.
W. T. Baker	George W. Dunlap	Clyde S. Howard
B. F. Bedford	Howard G. Early	Ira W. Hulette
Douglas Bolling	Garland Embry	John M. Hunnicut
Ollie J. Bowen	Walter R. Fannin	Ben W. Johnson
Wallace Brown	Chas. P. Farnsley	J. H. Jones
V. O. Chandler	T. P. Fitzpatrick	O. C. Jones
Roscoe Claxon	James Garnett, Jr.	R. T. Kirkman
George S. Clay	Ferd A. Gnau	J. F. Ladd
J. A. Coleman	Eugene Gough	M. T. McCarthy
Roy Conway	Ben Grogan	T. B. McConnell

J. L. McDermott	Russell O'Neill	Chester D. Silvers
W. F. McGary	A. W. Pfeiffer	H. C. Steely
Elmer McGlothen	J. C. Ramey	Dr. H. S. Swope
C. S. Matherly	Harry C. Records	W. R. Tapp
D. T. Matlack	Wade H. Riley	J. J. Thomas
Duke Mayfield	John C. Robinson	R. Van Bever, Jr.
G. S. Milam	W. T. Rollo	S. J. Wagner
W. H. Miller	A. W. Ross	Joseph L. Wall
John B. Mollett	Carl Scheben	Henry Ward
W. E. Mull	Ray O. Shehan	L. R. Wells
Tyler Munford	Dr. B. F. Shields	W. G. Williams
Rodes K. Myers	P. L. Sidebottom	Charles Wylie

—75

There voted in the negative—

Jas. C. Carter —1

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table

Said last named motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 282. An Act to amend and re-enact Section Four Thousand Seven Hundred and Six (4706) of the Kentucky Statutes, Carroll's Edition, 1930, as amended by Chapter 91 of the Acts of 1932, relating to the investment of funds by fiduciaries.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section Four Thousand Seven Hundred and Six

(4706) of the Kentucky Statutes, Carroll's Edition, 1930, as amended by Chapter 91 of the Acts of 1932, relating to the investment of funds by fiduciaries, be amended and re-enacted so as to read as follows:

It shall be lawful for persons or corporations holding funds in a fiduciary capacity for loan or investment, to invest the same in bonds or other interest-bearing obligations of the Government of the United States of America; bonds and State Warrants and other interest-bearing obligations of the State of Kentucky, including Bridge Revenue bonds issued by the Kentucky State Highway Commission as an agency of the Commonwealth of Kentucky; securities authorized by an Act of Congress entitled "The Federal Farm Loan Act"; bonds and obligations of the Home Owners Loan Corporation, Federal Farm Mortgage Corporation, Federal Intermediate Credit Bank, and bonds, mortgages, and obligations issued or insured by the Federal Housing Administrator; and real estate mortgage notes, bonds, and other interest-bearing or dividend-paying securities which would be regarded by prudent business men as safe investments; and to make loans with such securities as collateral; and a fiduciary shall account for all interest or profit received, except that a fiduciary, in making real estate mortgage loans for the purpose of investing trust funds, may charge the borrower not exceeding two per centum of the principal of the loan and retain such amount to cover the cost incurred and services rendered by the fiduciary in making the loan.

Where securities originally received by a fiduciary do not meet the requirements for the investment of trust funds as provided in this statute, or where securities in which trust funds have been properly invested thereafter become ineligible for investment of trust funds as provided in this statute, then such ineligible securities shall be sold at such time, and upon such terms and conditions, or shall be held or otherwise handled in such manner, as prudent business men would,

under the particular circumstances, consider proper; and a fiduciary shall be responsible for otherwise acting.

In clarification of the foregoing provisions authorizing the investment of trust funds in real estate mortgages, a trust company, or a combined bank and trust company (hereinafter called "trust company"), empowered to act as a fiduciary under the laws of the State of Kentucky, and subject to examination by either Kentucky State or Federal banking authorities, is authorized, (1) to set apart, in a separate real estate mortgage investment fund, real estate mortgages, which in each instance would conform to the Kentucky requirements as to trust investments; (2) to issue against such investment fund participation certificates covering fractional interests therein; and (3) to invest trust funds in its hands for investment in such participation certificates; provided, however, that such trust company shall at all times maintain definite records, fully and accurately setting forth (1) all mortgages held in such investment fund, including all cash collections and any real estate acquired in foreclosure; and (2) all participation certificates issued against the investment fund and in no event shall participation certificates be issued in the aggregate so as to exceed the aggregate principal amount of the investment fund. Said participation certificates shall be substantially in the following form:

"(Insert place and date.)

"The undersigned hereby certifies: That (insert description of trust estate or name of beneficial owner) is the owner of an interest in a real estate mortgage investment fund, which fund is shown on the records and accounts of the undersigned, and which interest is equivalent to the fraction which would result from using (insert amount) Dollars ($.....) as the numerator and the aggregate principal amount of said investment fund as the denominator.

This Certificate is issued in accordance with, and under the authority of, an Act of the General Assembly of the State

of Kentucky, relating to the investment of funds by fiduciaries, and enacted at the regular session of 1936; and is subject to all the terms and conditions of said Act.

(Signature of trust company.)''

To provide for possible losses which might occur in an investment fund established by a trust company under the foregoing provisions, such trust company is authorized to reserve from the interest collected on the mortgages held in the fund, not exceeding one-half of one per centum per annum on the principal of such mortgages, which reserved amount shall be set aside in a separate reserve account, and used primarily for the purpose of covering any losses that might be sustained in connection with any of said mortgages, or in foreclosing any of said mortgages, or from actual outlays in connection with any mortgaged property or property acquired under any such foreclosure proceedings. Such reserve account, or the balance thereof after the payment of any such losses, if any, shall belong entirely to the beneficial owners of the investment fund.

All income earned by the investment fund, except that amount reserved in the manner and for the purposes aforesaid shall be periodically, and at least semi-annually, distributed ratably to the holders of participation certificates issued against the investment fund. Principal cash which may accumulate in the investment fund by reason of payments on mortgages may be used in redemption and cancellation of participation certificates; or may be used in making further mortgage loans; and such trust company may advance cash to the investment fund to be used in making additional desirable mortgage loans in anticipation of trust funds becoming available for investment in participation certificates, but in no event shall such trust company be entitled to any profit on any such transactions other than the interest earned on its advancements. If any participation certificates issued by a trust company under the foregoing provisions should be-

come distributable by reason of the termination or removal of a trust, such trust company may at its option either distribute such certificates in kind, or redeem and cancel such certificates for the account of the investment fund, or purchase such certificates for the account of other trust estates in its hands.

Should any trust company, having established an investment fund as herein authorized, thereafter at any time, in its judgment fairly and reasonably exercised, determine that there is an apparent loss in such fund, over and above the account to be reserved to cover such loss, then such trust company shall at once proceed to liquidate the investment fund. In such liquidation such trust company shall, except as hereinafter provided, distribute pro rata on account of the principal of the outstanding participation certificates, all principal realized from the investment fund, and shall likewise distribute on account of interest all income earned by the fund. Where the principal and interest on a particular mortgage is not collected in full, then the amount realized shall after the payment of any costs incurred in its collection, be first used in making whole the principal of the mortgage debt, and any balance remaining shall be applied to interest. In such liquidation such trust company, instead of distributing pro rata on account of participation certificates all cash realized from the investment fund, may use a portion of such cash in retiring and canceling participation certificates, provided, however, that in retiring and canceling participation certificates under these conditions, such trust company shall carefully estimate and determine the apparent loss in principal and interest in the investment fund, over and above the reserve account to cover such loss, and shall pay for the certificates to be retired and canceled, the amount invested in such certificates, less the loss as to principal and interest determined in the manner aforesaid, provided, however, that any person who might be entitled to the distribu-

tion in kind of such certificates and who is not satisfied with such trust company's determination of said loss, may demand and receive distribution in kind of such certificates.

In making real estate mortgage loans for the purpose of investing trust funds, a trust company empowered to act as a fiduciary under the laws of the State of Kentucky and subject to examination either by Kentucky State or Federal banking authorities, may make such mortgage loans in its individual name; and in connection with such loans may prosecute all suits and foreclosure actions, and may buy in, manage, lease, repair, and sell foreclosed property in its individual name, without reference to any trust or beneficial ownership; provided, however, that such trust company shall at all times keep definite records showing fully and accurately all beneficial ownership in such loans, suits, or property, which records shall at all times be subject to the inspection and examination of either Kentucky State or Federal banking authorities; and provided further that such mortgage loans and such foreclosed property shall not be subject to the individual debts of the trust company, but shall belong to the beneficial owners thereof as shown by said records free from any and all claims against the trust company.

The various provisions of this Act are severable and if any of its provisions shall be held to be unconstitutional, the decision or decisions of the Courts so holding shall not affect or impair any of the remaining provisions of the Act.

All Acts and parts of Acts in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill

in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Ben Grogan	Rodes K. Myers
C. W. Anderson, Jr.	Jas. T. Hamilton	Russell O'Neill
H. T. Baker	C. L. Hammons	A. W. Pfeiffer
W. T. Baker	W. L. Hampton, Jr.	J. C. Ramey
B. F. Bedford	Clyde S. Howard	Harry C. Records
Douglas Bolling	Ira W. Hulette	Wade H. Riley
Ollie J. Bowen	John M. Hunnicut	John C. Robinson
Wallace Brown	Ben W. Johnson	W. T. Rollo
V. O. Chandler	J. H. Jones	A. W. Ross
Roscoe Claxon	O. C. Jones	Carl Scheben
George S. Clay	R. T. Kirkman	Ray O. Shehan
J. A. Coleman	J. F. Ladd	Dr. B. F. Shields
Roy Conway	M. T. McCarthy	P. L. Sidebottom
Herbert Cook	T. B. McConnell	Chester D. Silvers
Sam Dever	J. L. McDermott	H. C. Steely
Stanley S. Dickson	W. F. McGary	Dr. H. S. Swope
George W. Dunlap	Elmer McGlothen	W. R. Tapp
Howard G. Early	C. S. Matherly	J. J. Thomas
Garland Embry	D. T. Matlack	R. Van Bever, Jr.
Walter R. Fannin	Duke Mayfield	S. J. Wagner
Chas. P. Farnsley	G. S. Milam	Joseph L. Wall
T. P. Fitzpatrick	W. H. Miller	Henry Ward
James Garnett, Jr.	John B. Mollett	L. R. Wells
Ferd A. Gnau	W. E. Mull	W. G. Williams
Eugene Gough	Tyler Munford	Charles Wylie

—75

There voted in the negative—

Jas. C. Carter —1

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 45. An Act amending Section 577, Kentucky Statutes, Carroll's 1930 Edition, being Chapter 171, page 612, of the Acts of 1893, so when said Act is re-enacted it shall read as follows:

Said bill is as follows, viz.:

Corporators; number of; amount of capital required.—Any number of persons, not less than five, may associate to establish a commercial bank, or a savings bank, or a bank having departments for both classes of business, upon the terms and conditions and subject to the liabilities prescribed in this article; but the capital stock of any bank shall not be less than fifteen thousand dollars and in cities, having a population of one hundred thousand or more not less than one hundred thousand dollars.

Mr. Grogan offered the following amendments to said bill, viz.:

Amend S. B. 45 in House by adding after the title the following:

"Be it enacted by the General Assembly of the Commonwealth of Kentucky:".

Amend S. B. 45 in House by striking out in line 6 after the word "than" and before the word "thousand" the word "fifteen" and insert the word "twenty-five".

Said amendments were each agreed to.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only and passed, as amended.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Ben Grogan	Rodes K. Myers
C. W. Anderson, Jr.	Jas. T. Hamilton	Russell O'Neill
H. T. Baker	C. L. Hammons	A. W. Pfeiffer
W. T. Baker	W. L. Hampton, Jr.	J. C. Ramey
B. F. Bedford	Clyde S. Howard	Harry C. Records
Douglas Bolling	Ira W. Hulette	Wade H. Riley
Cllie J. Bowen	John M. Hunnicut	John C. Robinson
Wallace Brown	Ben W. Johnson	W. T. Rollo
V. O. Chandler	J. H. Jones	A. W. Ross
Roscoe Claxon	O. C. Jones	Carl Scheben
George S. Clay	R. T. Kirkman	Ray O. Shehan
J. A. Coleman	J. F. Ladd	Dr. B. F. Shields
Roy Conway	M. T. McCarthy	P. L. Sidebottom
Herbert Cook	T. B. McConnell	Chester D. Silvers
Sam Dever	J. L. McDermott	H. C. Steely
Stanley S. Dickson	W. F. McGary	Dr. H. S. Swope
George W. Dunlap	Elmer McGlothen	W. R. Tapp
Howard G. Early	C. S. Matherly	J. J. Thomas
Garland Embry	D. T. Matlack	R. Van Bever, Jr.
Walter R. Fannin	Duke Mayfield	S. J. Wagner
Chas. P. Farnsley	G. S. Milam	Joseph L. Wall
T. P. Fitzpatrick	W. H. Miller	Henry Ward
James Garnett, Jr.	John B. Mollett	L. R. Wells
Ferd A. Gnau	W. E. Mull	W. G. Williams
Eugene Gough	Tyler Munford	Charles Wylie

—75

There voted in the negative—

Jas. C. Carter —1

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed as amended, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 140. An Act to amend and re-enact 596, Kentucky Statutes, Carroll's Edition, 1930, to increase the surplus of banks, trust companies and combined banks and trust companies, organized under the laws of this state.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That 596, Kentucky Statutes, Carroll's Edition, 1930, which became a law in the Session Acts of 1893, as amended in the Session Acts of 1916, be amended by striking out the words "twenty per cent of its capital stock", and adding the words "a sum to equal the amount of its common capital stock"; so that said section, as amended, will read as follows:

"The board of directors of any bank or trust company organized under the laws of this state may declare a dividend of so much of the net profits of the bank or trust company, after deducting therefrom all expenses, losses, bad or suspended debts, interest and taxes accrued or due from the bank, as they may deem expedient. Provided, no bank or trust company shall pay a dividend to the holders of the common stock thereof until such bank or trust company has a surplus fund equal to ten per cent of its capital stock, and before any dividend is declared, other than upon its preferred stock, if any, not less than ten per cent of the net profits of the bank for the period covered by the dividend applicable to

its common stock shall be carried to its surplus fund until such surplus fund amounts to a sum equal to the amount of its common capital stock. All debts due to a bank or trust company on which interest is due and unpaid for six months, unless the same be well secured or in the process of collection, shall be construed bad or suspended debts within the meaning of this section."

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Chas. P. Farnsley	W. F. McGary
C. W. Anderson, Jr.	T. P. Fitzpatrick	Elmer McGlothen
H. T. Baker	James Garnett, Jr.	C. S. Matherly
W. T. Baker	Ferd A. Gnau	D. T. Matlack
B. F. Bedford	Eugene Gough	Duke Mayfield
Douglas Bolling	Ben Grogan	G. S. Milam
Ollie J. Bowen	Jas. T. Hamilton	W. H. Miller
Wallace Brown	C. L. Hammons	John B. Mollett
V. O. Chandler	W. L. Hampton, Jr.	W. E. Mull
Roscoe Claxon	Clyde S. Howard	Tyler Munford
George S. Clay	Ira W. Hulette	Rodes K. Myers
J. A. Coleman	John M. Hunnicut	Russell O'Neill
Roy Conway	Ben W. Johnson	A. W. Pfeiffer
Herbert Cook	J. H. Jones	J. C. Ramey
Sam Dever	O. C. Jones	Harry C. Records
Stanley S. Dickson	R. T. Kirkman	Wade H. Riley
George W. Dunlap	J. F. Ladd	John C. Robinson
Howard G. Early	M. T. McCarthy	W. T. Rollo
Garland Embry	T. B. McConnell	A. W. Ross
Walter R. Fannin	J. L. McDermott	Carl Scheben

Ray O. Shehan	Dr. H. S. Swope	Joseph L. Wall
Dr. B. F. Shields	W. R. Tapp	Henry Ward
P. L. Sidebottom	J. J. Thomas	L. R. Wells
Chester D. Silvers	R. Van Bever, Jr.	W. G. Williams
H. C. Steely	S. J. Wagner	Charles Wylie

—75

There voted in the negative—

Jas. C. Carter —1

Mr. Grogan offered the following amendment to the title of said bill, viz.:

Amend the title to S. B. 140 by adding at the end of the title "Harrison-Grogan Act".

Said amendment was agreed to.

Resolved that the title thereof be as amended.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

A message was received from the Senate announcing that they had passed bills which originated in that body of the following titles, viz.:

S. B. 51. An Act relating to the administrative procedure of the Workmen's Compensation Board.

S. B. 50. An Act relating to Industrial Compensation.

S. B. 262. An Act to amend Kentucky Statutes relating to regulation of transportation for hire of persons and property by motor vehicles on public highways, etc.

S. B. 291. An Act to provide for an enlarged use of the public records of the Commonwealth of Kentucky.

S. B. 141. An Act relating to gas plants in cities of the second, third, fourth, fifth and sixth classes.

Ordered that said bills be printed and referred to the Committee on Rules.

And that they had passed bills which originated in this House of the following titles, viz.:

H. B. 21. An Act to repeal and re-enact Section 1475, changing the ways and rights of blind voters.

Ordered that said bills be delivered to the Enrolling Clerk of the House.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 18. An Act to create a Game and Fish Commission, to define its powers and duties, and to provide for the protection, restoration, propagation, and increase of game, birds, fish and furbearing animals; and transferring duties and funds.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

GAME AND FISH COMMISSION

§ 1. (a) Commission Created. That the Game and Fish Department is hereby placed under a Commission to be known as the "Game and Fish Commission", hereinafter referred to as the Commission, which is hereby created.

(b) Appointment and Terms. The Commission shall consist of five members, who shall fairly represent the several geographical sections of the State (and not more than three of whom shall be of the same political party).

The members of the Commission shall be appointed by the Governor within sixty days after the approval of this act, by and with the advice and consent of the Senate (one to serve one year, one to serve two years, one to serve three years, two to serve four years each, or until their successors are appointed and qualified; and thereafter as such terms expire, their successors shall be appointed for terms of four years).

No person shall be appointed a member of the Commission unless he shall be well informed on the subject of wildlife conservation and restoration.

(c) Removals. The Governor may remove a commissioner for inefficiency, neglect of duty, or misconduct in office, delivering to him a copy of the charges and affording him an opportunity of being publicly heard in person or by counsel in his own defense, upon not less than ten days' notice.

If such Commissioner shall be removed, the Governor shall file in the office of the Secretary of State a complete statement of all charges made against such Commissioner and his findings thereon, together with a complete record of the proceedings.

The Governor shall fill vacancies by appointment for any unexpired term, subject to confirmation by the Senate at the next regular or special session of the State Legislature.

(d) Reimbursement for Expenses. The members of the Commission shall receive no compensation for their services as members thereof, except that each commissioner shall be entitled to reimbursement for actual and necessary traveling and other expenses and disbursements incurred or made by him in the discharge of his official duties to be paid from the Game and Fish Fund.

(e) Quorum. A majority of the commissioners shall constitute a quorum for the transaction of any business, for the performance of any duty, or for the exercise of any power.

(f) Office and Supplies. The Commission shall have its principal office in the State Capitol or such other place as may be designated in this Act. The Commission is authorized to purchase all supplies, equipment, printed forms, and notices, and to issue such publications as it may deem necessary to carry out the purposes of this Act.

GENERAL POWERS AND DUTIES OF THE COMMISSION

§ 2. (a) Chairman and Meeting. The members of the Commission shall meet at the Capitol within thirty days after their appointment and shall organize by electing from their membership a Chairman and a Secretary, and thereafter regular meetings shall be held by the Commission at its offices quarterly, and at such other times and places within the State as the Commission shall select for the transaction of business.

(b) Powers and Duties. It shall be unlawful to take or pursue any of the wildlife of the State at any time or in any manner, except at such times and in such manner as the supply of said wildlife may justify, and the said Commission is hereby directed to make adequate investigation as to the said supply and thereupon shall, by appropriate rules and regulations:

1—Establish and close to hunting, trapping, or fishing, game, bird or fish refuges on public lands and, with the consent of the owner, on private lands.

2—Acquire by purchase, condemnation, lease, agreement, gift, or devise, lands or waters suitable for the purposes hereinafter enumerated, and develop, operate and maintain the same for said purposes:

(a) For fish hatcheries, nursery ponds, or game farms;

(b) Lands or waters suitable for game, bird, fish, or furbearing animals restoration, propagation, or protection;

(c) For public hunting, fishing, or trapping areas to provide places where the public may hunt, trap, or fish in accordance with the provisions of law or the regulations of the Commission;

(d) To extend and consolidate by exchange lands or waters suitable for the above purposes;

(e) To capture, propagate, transport, buy, sell, or exchange, any species of game, bird, fish, or furbearing animal needed for propagation or stocking purposes, or to exercise control measure of undesirable species.

3—Enter into cooperative agreements with educational institutions and state, federal, or other agencies, to promote wildlife research and to train men for wildlife management.

4—Enter into cooperative agreements with federal agencies, municipalities, corporations, organized groups of landowners, associations and individuals for the development of game, bird, fish, or fur-bearing animal management and demonstration projects.

(c) Limitation on Powers. Nothing in this Act, however, shall be construed to authorize the Commission to change any penalty prescribed by law for a violation of its provisions, or to change the amount of license fees or the authority conferred by licenses prescribed by law.

(d) Organization of Work. The Commission shall establish such departmental bureaus or divisions and shall authorize the Director to employ such experts, clerks, or other employees as it may deem necessary for the conduct of the work of the Commission, and it shall fix their salaries or other compensation, which shall be paid out of the Game and Fish Fund.

The Commission shall authorize such scientific and other studies as may be deemed necessary to its work, and shall collect, classify, and disseminate such statistics, data, and information as in its discretion will tend to promote the objects of this Act.

OFFICE OF DIRECTOR

§ 3. (a) Director to be Selected. The office of Director of the Game and Fish Department is hereby created. Upon the organization of the Commission hereinbefore provided for, said Commission shall appoint a Director of the Game and Fish Department, who shall be a man with knowledge of, and experience in, the requirements for the protection, conservation, and restoration of the wildlife resources of the State. The Director shall serve for an indefinite term. The Director shall not hold any other public office and shall devote his entire time to the service of the State in the discharge of his official duties.

(b) Compensation and Expenses. The Director shall receive such compensation as the Commission may determine, and shall be reimbursed for all actual and necessary traveling and other expenses incurred by him in the discharge of his official duties.

(c) Oath and Bond. Before entering upon the duties of his office, the Director shall take, and subscribe to, the constitutional oath of office and shall, in addition thereto, swear or affirm that he holds no other public office, nor any position under any political committee or party. Such oath, or affirmation, shall be filed in the office of the Secretary of State.

The Director shall execute and file with the State Treasurer a bond to the people of the State in the sum of Five Thousand ($5,000.00) Dollars, conditioned on the faithful performance of his duties, and that he will account for and pay over, pursuant to law, all State moneys received by him under law for the protection of wild animals, birds, and fish. The premium on such bond shall be paid from the Game and Fish Fund.

(d) Duties and Powers. The Director shall have general supervision and control of all activities, functions, and employees of the Game and Fish Department, under the supervision and direction of the Commission, and shall en-

force all the provisions of the laws of this State relating to game all the furbearing animals, birds, and fish, and shall exercise all necessary powers incident thereto not specifically conferred on the Commission.

Director shall make to League of Kentucky Sportsmen (as long as League remains intact) a quarterly report of all receipts and disbursements.

CONSERVATION OFFICERS

§ 4. (a) Appointment and Selection. The Director is hereby authorized to appoint, with the approval of the Commission, as many Conservation Officers as may be required efficiently to enforce the laws for the protection of wild animals, birds, and fish.

All appointments of Conservation Officers hereafter made shall be under Civil Service rules adopted and promulgated by the Commission. Such examination shall embrace an investigation of the character, habits, and qualifications of each applicant, as well as his knowledge of the State game and fish laws, and the duties and responsibilities appertaining to the position of Conservation Officer.

(b) Compensation and Advancement. Each Conservation Officer shall receive a salary of not less than Nine Hundred and Seventy-Five Dollars per annum, payable in monthly installments; provided, however, that each officer who shall have been rated in the first grade for a full year shall receive increased salary at the rate of One Hundred Dollars ($100.00) per annum, and for each year thereafter in which he shall so qualify he shall receive a like increase until he receives the sum of Eighteen Hundred ($1,800.00) Dollars per annum; and that each officer who has been rated in the second grade for a full year shall receive increased salary at the rate of Fifty Dollars ($50.00) per annum, and for each year thereafter in which he shall so qualify he shall receive a like increase until he receives the sum of Fifteen

Hundred ($1,500.00) Dollars per annum; but the Commission shall have power in its discretion, for cause shown, to cancel such increase, or any part thereof, on the failure of any officer receiving such increase to qualify for the first or second grade in any years.

(c) Political Activity Prohibited. While retaining the right to vote as he may please and to express privately his opinion on all political subjects, no employee or officer of the Commission shall take any active part in political management or in political campaigns, nor shall he use his official authority or influence for the purpose of interfering with an election or affecting the results thereof, or for the purpose of coercing the political action of any person or body.

ORDERS AND REGULATIONS

§ 5. (a) Publication. Rules, regulations and orders of the Commission shall be published in the following manner: Those having general application throughout the State shall be published at least once in some newspaper published in and having general circulation throughout the State; those of special character having local application only shall be published at least once in some newspaper published in and having general circulation in the locality wherein such rules, regulations and orders are applicable; but, if no such newspaper is so published and circulated, copies of such rules, regulations and orders shall be posted in at least three conspicuous places in the locality in which they are applicable. Such rules, regulations and orders may also be given such other publicity as the Commission may deem desirable.

(b) Violation of Rules and Regulations. Any person violating any rule, regulation, or order of the Commission shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than Ten Dollars ($10.00) nor more than Fifty Dollars ($50.00) for each offense, or by imprisonment in the county jail for a period of

not less than ten (10) days nor more than thirty (30) days, or by both such fine and imprisonment.

GAME AND FISH FUND

§ 6. (a) Creation of Fund. The Commissioners and the Director of the Game and Fish Department shall promptly pay the State Treasurer all moneys received by them, respectively, from the sale of hunting licenses or from any other source connected with the administration of the provisions of this Act, or any law or regulation for the protection of wild animals, birds, or fish, and the State Treasurer shall deposit all such moneys in a special fund to be known as the "Game and Fish Fund", which is hereby reserved, set aside, appropriated and made available until expended as may be directed by the Commission in carrying out the purposes of this Act, or any law or regulation for the protection of wild animals, birds, or fish, and shall be used for no other purpose. All warrants shall be drawn on said fund in the manner provided by the Constitution or by statute.

(b) Transfer of Funds. All funds, appropriations, and moneys provided for the purpose of administering or enforcing the game and fish laws of this State, and all funds, appropriations, property, and moneys under the control of the present Game and Fish Department, or other funds of the State in the custody or control of any other officer or person connected with the office of the present Game and Fish Department, or under the supervision of the said Department, shall be and hereby are transferred to the Commission or the Game and Fish Fund, and made available to and placed under the control of the Commission herein created.

(c) Control of Expenditures. The Commission shall govern the financial policies of the Department and shall fix the budget for the operation and maintenance of its work for each fiscal year, which budget shall not be exceeded by the Director.

Funds to the credit of the Commission shall be withdrawn by the Director by warrant against the Game and Fish Fund for such purposes as the Commission may direct.

All such warrants shall have attached thereto or contained therein an itemized statement showing the purposes of said expenditure.

The Commission shall not contract any indebtedness or obligation beyond the funds available, or presently to be available, for its use.

(d) Purposes of Expenditures. The Commission shall have the exclusive power to expend for the protection, conservation, propagation, and restoration of game, birds, fish, and furbearing animals, all funds of the State acquired for the protection, conservation, propagation, or restoration of birds, animals, or fish, arising from State appropriations, licenses, gifts, or otherwise.

FINES AND APPEALS

§ 7. Payment and Reports. It shall be the duty of each Justice of the Peace or Clerk of the Court, before whom any prosecution under this Act or any law or regulation for the protection of wild animals, birds, or fish may be commenced, or shall go on appeal, and within twenty days after a decision has been rendered therein, to report in writing to the Director the result of the prosecution, the amount of fine collected or penalty imposed, if any, therein.

All moneys collected as fines or penalties for violations of the provisions of this Act or any law or regulation for the protection of wild animals, birds, or fish shall be, within thirty (30) days, paid over to the Commission by the court, justice of the peace, or other officer collecting or receiving the same.

SAVING CLAUSES

§ 8. (a) Employees Continued in Service. All persons in the employ of the Game and Fish Department shall

continue in service under the direction of the Commission hereby created until such time as transfers or changes in personnel are deemed necessary for the good of the service.

(b) Present Statutes and Orders. Except as herein specifically or otherwise provided, all laws relating to the collection, carrying, transfer, custody, or disbursement of funds, appropriations, and moneys, or relating to any clerical or ministerial act involved in the collecting, carrying, transfer, custody, or disbursement of funds appropriated or made available for the administration of the game and fish laws of the State, or in the custody or control of the Game and Fish Department or any other officer or person connected with said Department, or under the jurisdiction of said Department, are applied to the collecting, carrying, transfer, custody and disbursement of said funds when under the control of the Commission herein created.

All existing rules, orders, and regulations of the State Game and Fish Commission shall continue in full force and effect as rules, orders, and regulations of the Commission hereby created, until amended or rescinded by it.

(c) Invalidity of Provisions. If any clause, sentence, paragraph, subdivision, section, or part of this Act, or any order or rule of the Commission shall, for any reason, be adjudged by any court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to such clause, sentence, paragraph, subdivision, section, or part thereof directly involved in the controversy in which said judgment shall have been rendered.

REPEALS

§ 9. All Acts, whether general, local, special, or private, or parts of such acts, in conflict with or which are inconsistent with the provisions of this Act are hereby repealed.

DATE EFFECTIVE

§ 10. This Act shall take effect immediately on its passage and approval by the Governor.

Mr. Myers offered the following amendment to said bill, viz.:

Amend S. B. 18 in House by striking the words in lines 20, 21, 22, 23, "delivering to him a copy of the charges and affording him an opportunity to be publicly heard in person or by counsel in his own defense, upon not less than ten days notice" and insert in lieu thereof the following: "or for any cause deemed sufficient by the Governor of the Commonwealth, by the entry of an executive order dismissing said Commissioner".

Said amendment was agreed to.

Amend S. B. 18 in House by inserting the word "Commission" in the blank on page 10, line 18.

Said amendment was agreed to.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only and passed, as amended.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	W. T. Baker	Douglas Bolling
C. W. Anderson, Jr.	B. F. Bedford	Ollie J. Bowen
H. T. Baker	Reuben J. Boling	Wallace Brown

Dr. R. A. Byers	Ira W. Hulette	J. C. Ramey
Jas. C. Carter	John M. Hunnicut	Hobart Rayburn
V. O. Chandler	Ben W. Johnson	Harry C. Records
Roscoe Claxon	J. H. Jones	L K. Rice
George S. Clay	O. C. Jones	Wade H. Riley
J. A. Coleman	R. T. Kirkman	Joe E. Robinson
Roy Conway	J. F. Ladd	John C. Robinson
Herbert Cook	Robert E. Lee	W. T. Rollo
Harry Davis	M. T. McCarthy	A. W. Ross
Sam Dever	T. B. McConnell	Carl Scheben
Stanley S. Dickson	J. L. McDermott	Ray O. Shehan
George W. Dunlap	Lloyd MacDonald	Dr. B. F. Shields
Howard G. Early	W. F. McGary	F. L. Sidebottom
Garland Embry	Elmer McGlothen	Chester D. Silvers
Walter R. Fannin	C. S. Matherly	Bruce Sloan
Chas. P. Farnsley	D. T. Matlack	H. C. Steely
T. P. Fitzpatrick	Duke Mayfield	Dr. H. S. Swope
James Garnett, Jr.	G. S. Milam	W. R. Tapp
G. W. Garrett	W. H. Miller	J. J. Thomas
Ferd A. Gnau	John B. Mollett	R. Van Bever, Jr.
Eugene Gough	W. E. Mull	S. J. Wagner
Ben Grogan	Tyler Munford	Joseph L. Wall
Jas. T. Hamilton	Rodes K. Myers	Henry Ward
C. L. Hammons	J. C. Nickell	L. R. Wells
W. L. Hampton, Jr.	Russell O'Neill	W. G. Williams
Thomas W. Hines	Mel Petry	Charles Wylie
Clyde S. Howard	A. W. Pfeiffer	

—89

Resolved that the title thereof be as aforesaid.

Mr. Myers moved that the vote by which said bill was passed, as amended, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 283. An Act relating to ditches and drains in counties having more than seventy-five (75) separate drainage districts; providing that in such counties the county judge shall appoint a drainage commissioner; prescribing the powers and duties of such commissioner repealing all laws and parts of laws in conflict with the act, to the extent of such conflict only; and declaring an emergency.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That in all counties having seventy-five (75) or more separate drainage districts the county judge shall appoint a drainage commissioner who shall have and exercise all of the powers and duties vested in directors and Boards of Drainage Commissioners elected under the provisions of Section 2380-7, Kentucky Statutes, Carroll's 1930 Edition, as amended. The person so appointed shall hold this office for a term of four (4) years or until his successor is appointed and qualified, shall execute bond for the faithful performance of his duties in the penal sum of five thousand ($5,000.00) dollars, and shall be sworn to faithful performance of duties of his position to the best of his ability. Any vacancy in said office shall be filled by appointment by the county judge. He shall have the right to acquire, hold, encumber, sell and convey such real estate and personal property as shall be necessary to the conduct of his affairs as such Drainage Commissioner, to sue and be sued, contract and be contracted with, and shall possess such other powers and rights as may be reasonably necessary for carrying on his work under the provisions of this Act. He may appoint a secretary and fix his compensation, and if no such secretary is appointed, the county clerk of the county shall act as such and be ex officio secretary thereof.

Said Commissioner shall be paid as full compensation for

his services not exceeding the sum of five ($5.00) dollars per day while actually engaged in the performance of his duties, to be fixed by order of the county court at the time of his appointment, as well as all traveling expenses incurred in the performance of his duties under this Act, to be paid out of the drainage funds herein provided for.

§ 2. The Drainage Commissioner provided for in this Act shall succeed to and be vested with all of the rights, powers, duties and obligations heretofore imposed upon the Drainage Commissioner and/or Board of Drainage Commissioners in office at the time of the effective date of this Act.

§ 3. This Act shall not be construed with reference to, or as a part of, any previous Act of this session of the General Assembly. It is the intention of the General Assembly that this Act is and shall be construed as a separate and independent Act, relating only to counties having seventy-five (75) or more separate drainage districts; and, that this Act provides the sole and exclusive law for the selection, term of office and qualifications of Drainage Commissioners in such counties.

§ 4. Whereas, it is deemed by the General Assembly to be impractical to have seventy-five (75) or more directors for drainage districts; and, whereas, it is deemed necessary that this Act be made effective immediately upon its passage and approval by the Governor, an emergency hereby is declared to exist and this Act shall become effective immediately upon its passage and approval by the Governor.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Jas. T. Hamilton	Russell O'Neill
C. W. Anderson, Jr.	C. L. Hammons	Mel Petry
H. T. Baker	W. L. Hampton, Jr.	A. W. Pfeiffer
B. F. Bedford	Thomas W. Hines	J. C. Ramey
Reuben J. Boling	Clyde S. Howard	Harry C. Records
Douglas Bolling	Ira W. Hulette	Wade H. Riley
Ollie J. Bowen	John M. Hunnicut	Joe E. Robinson
Wallace Brown	J. H. Jones	John C. Robinson
Jas. C. Carter	O. C. Jones	W. T. Rollo
V. O. Chandler	R. T. Kirkman	Carl Scheben
Roscoe Claxon	J. F. Ladd	Dr. B. F. Shields
George S. Clay	Robert E. Lee	P. L. Sidebottom
J. A. Coleman	T. B. McConnell	Chester D. Silvers
Herbert Cook	J. L. McDermott	Bruce Sloan
Harry Davis	Lloyd MacDonald	H. C. Steely
Stanley S. Dickson	W. F. McGary	Dr. H. S. Swope
George W. Dunlap	Elmer McGlothen	W. R. Tapp
Garland Embry	C. S. Matherly	J. J. Thomas
Walter R. Fannin	D. T. Matlack	R. Van Bever, Jr.
Chas. P. Farnsley	Duke Mayfield	S. J. Wagner
T. P. Fitzpatrick	G. S. Milam	Joseph L. Wall
H. Myer Garner	W. H. Miller	Henry Ward
James Garnett, Jr.	W. E. Mull	L. R. Wells
G. W. Garrett	Tyler Munford	W. G. Williams
Eugene Gough	Rodes K. Myers	Charles Wylie
Ben Grogan	J. C. Nickell	—77

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 215. An Act in aid of drainage, levee and reclamation districts now or hereafter organized under the Laws of the Commonwealth of Kentucky and authorizing the refunding of the bonded indebtedness of such districts, with an emergency clause.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Whenever the Board of Drainage Commissioners or other governing authority of any drainage, levee or reclamation district heretofore or hereafter organized under any law of this State shall find and declare of record that it is advisable and for the best interests of the landowners of any such district to refund all or any part of the bonded indebtedness of such district, such board or other governing authority may issue refunding bonds of such district, payable at such longer time, not exceeding 40 years from their date, as such board or governing authority may determine. Such refunding bonds shall not exceed in the aggregate the amount of bonds refunded thereby and interest accrued thereon to the date of said refunding bonds. They shall bear interest at a rate not exceeding six per centum (6%) per annum, payable semi-annually, and when issued may be exchanged for the outstanding bonds if the holders thereof so agree, or said refunding bonds may be sold for not less than the par value thereof and accrued interest, and the proceeds of the sale of said bonds shall be used in the payment of the outstanding bonds and the cost and expense incident to the issuing of such refunding bonds. Provided, however, no refunding bonds so sold shall become valid obligations of such district unless and until an equivalent amount of the bonds refunded thereby shall have been surrendered by the holders thereof and duly canceled. In the event provisions are made for the issuance of refunding bonds hereunder, any landowner shall have the

right, at any time within two weeks after the order providing for their issuance is made, to pay the full amount of uncollected principal tax or assessment chargeable to his land for the payment of the bonds proposed to be refunded, and upon payment thereof his land shall be released from the tax or assessment for the payment of the refunding bonds, but shall remain subject to additional taxes, if any, that may be levied by such district pursuant to law. Unless and until refunding bonds shall have been authorized and issued, the rate of tax or assessment or amount of assessment applicable to the bonds to be refunded, shall not be reduced.

§ 2. Before issuing any refunding bonds as herein authorized, such board of drainage commissioners or other governing authority, as the case may be, shall set a date and designate a place for a hearing and shall give notice of such hearing to the landowners, persons or corporations owning any interest in any lands or other property assessed in such district, of its intention to refund such bonds. Such notice shall be published in a newspaper published in each county in which the lands in such district may lie, and there shall be at least two insertions of said notice in said paper or papers to be made once in each of two consecutive weeks and on the same day of each week, the last insertion thereof to be not less than five days prior to the date set for said hearing. Such hearing shall be held by such board or governing authority as the case may be, at the place designated by said board or governing authority as aforesaid, and the said notice will be sufficient if substantially in the following form:

All persons, corporations or other persons interested in lands or other property lying in ..... District, ... County, Kentucky, take notice:

That ..... District, ... County, Kentucky, desires to refund all (or part) of its outstanding bonded indebtedness (and accrued interest thereon) and that at..... in the City of ....., on the ..... day of.....,

19....., at ..... o'clock ..... M., any landowner or other person or corporation having an interest in any land or property in said district may appear before the Board of Drainage Commissioners (or other governing authority) of said district, and show any cause why said refunding should not be done, and taxes in addition to the assessed benefits levied, if necessary, for the purpose of paying interest on such refunding bonds; and you are further notified that if a majority of the owners of land in said district, owning a majority of the acres of land therein, object to such refunding, the said refunding will be abandoned. You will further take notice that unless such refunding shall be abandoned, any landowner will have the right at any time within two weeks after the making of the order providing for the issuing of refunding bonds by said Board of Drainage Commissioners (or other governing authority), if such order should be made, to pay the full amount of uncollected principal tax or assessment chargeable to his land or any tract thereof, for the payment of the bonds proposed to be refunded; and any tract on which such tax or assessment shall be paid, will be released from any tax or assessment for the payment of such refunding bonds, but shall remain subject to additional taxes, if any, that may be levied by such district pursuant to law. Of which you will take due notice and govern yourselves accordingly.

Dated at ..... Kentucky, the ..... day of ....., 19..... Board of Drainage Commissioners of ..... County, Kentucky. By .....

In the event that at or prior to the time of the holding of the meeting and hearing hereinbefore provided for, a majority of the owners of lands in such district, owning a majority of the acres of land therein should file with such board, or other governing authority, written objections to the refunding of the outstanding bonds of such district, the board of drainage commissioners, or other governing authority, shall enter an

order finding the fact of such objections having been filed and abandon such refunding.

§ 3. Upon the issuance of the refunding bonds as herein provided, all uncollected annual installments whether matured or unmatured and/or all unlevied assessments, as the case may be, or so much thereof as may be necessary, shall be made payable in annual installments in such amounts as will be sufficient to provide for the payment of the refunding bonds at maturity, and in addition thereto there shall be levied from year to year such taxes in proportion to such unmatured installments or uncollected assessments, as will be sufficient to provide for the payment of the interest on such refunding bonds as it accrues. Each year while any of such refunding bonds remain outstanding and unpaid, it shall be the duty of the board of drainage commissioners or other governing authority to ascertain the amount of funds required for the payment of maturing bonds and accruing interest during the succeeding year, and to make up, certify and transmit to the sheriff and ex officio tax collector of each county wherein any of the lands of the district are situate, an annual tax book on which there shall be extended the annual installments so ascertained; the said installments shall be apportioned to the several tracts of lands and other properties in such district in proportion to the aforesaid unmatured annual installments or assessments, and the aggregate so certified for each year shall be sufficient to make ample provision for the payment of maturing principal and accruing interest on such refunding bonds, making due allowance for probable delinquencies in the payment of taxes and the costs of collection. Provided, however, that the total of such taxes, exclusive of taxes levied for interest on such refunding bonds, shall not exceed the benefits assessed upon any tract of land in such district.

§ 4. All such taxes or assessments levied as herein provided, for the payment of principal and interest on refunding bonds of any such district, shall be collected, and collection

thereof enforced, at the same time, in the same manner, and by the same means as is provided by law for the collection of other taxes levied by such district, and the holder of any such refunding bonds, in addition to the rights hereby conferred, shall have the same rights as were possessed by the holders of the bonds refunded thereby.

§ 5. Any landowner failing to avail himself of the privilege conferred by this act of paying in full the unpaid principal tax or assessment against his land, shall not be heard to complain by reason of additional interest to be collected from his lands on account of the issuance of refunding bonds.

§ 6. Taxes or assessments levied for the payment of refunding bonds and interest thereon shall be secured by the same lien as other taxes of such districts heretofore provided for by law.

§ 7. All powers necessary to be exercised by any such district or any such board of drainage commissioners or other governing authority, in order to carry out the provisions of this act, are hereby conferred upon such district and upon such board of drainage commissioners or other governing authority as the case may be, and no proceedings for the issuance of refunding bonds other than those provided for and required herein, shall be necessary.

§ 8. All drainage, levee or reclamation districts heretofore or that may be hereafter organized under any law of this state are hereby authorized and empowered to do each and every act necessary to be by them performed in order to comply with or avail themselves of the provisions of any legislation now enacted or that may be hereafter enacted by the Congress of the United States of America, having for its purpose the refunding or extending the time of payment of the bonded indebtedness of any drainage, levee or reclamation district or otherwise lightening the present burdens of taxation resting on the lands and property in such districts.

§ 9. Whereas, the depressed conditions of agriculture

during the past several years have resulted in the inability of landowners in drainage, levee and reclamation districts in this state to pay taxes levied by such districts; and whereas, the inability and failure of landowners to pay taxes to such districts has resulted in the default by such districts in the payment of bonds issued thereby; and whereas, the defaults aforesaid are widespread throughout the state and the continuance thereof may result in the serious impairment of the public faith and credit of the State of Kentucky and its subdivisions; and whereas, it is highly important that the burden of taxation levied by such districts upon the landowners therein be lightened through the refunding of outstanding indebtedness and through the extension of the time of payment thereof, an emergency is hereby found and declared to exist within the meaning of Section 55 of the Constitution of the Commonwealth of Kentucky, and this act shall be in force and effect from and after its passage and approval.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

B. F. Bedford	J. A. Coleman	James Garnett, Jr.
Douglas Bolling	Herbert Cook	G. W. Garrett
Ollie J. Bowen	Sam Dever	Ferd A. Gnau
Wallace Brown	Stanley S. Dickson	Eugene Gough
Jas. C. Carter	George W. Dunlap	Ben Grogan
V. O. Chandler	Walter R. Fannin	C. L. Hammons
Roscoe Claxon	Chas. P. Farnsley	W. L. Hampton, Jr.
George S. Clay	H. Myer Garner	Clyde S. Howard

John M. Hunnicut	Tyler Munford	P. L. Sidebottom
J. H. Jones	Rodes K. Myers	Chester D. Silvers
O. C. Jones	J. C. Nickell	Bruce Sloan
R. T. Kirkman	Russell O'Neill	H. C. Steely
J. F. Ladd	Mel Petry	Dr. H. S. Swope
Robert E. Lee	A. W. Pfeiffer	W. R. Tapp
T. B. McConnell	J. C. Ramey	J. J. Thomas
J. L. McDermott	Hobart Rayburn	R. Van Bever, Jr.
Lloyd MacDonald	Harry C. Records	S. J. Wagner
W. F. McGary	L. K. Rice	Joseph L. Wall
Elmer McGlothen	Wade H. Riley	Henry Ward
C. S. Matherly	John C. Robinson	L. R. Wells
D. T. Matlack	A. W. Ross	W. G. Williams
Duke Mayfield	Carl Scheben	Charles Wylie
W. H. Miller	Ray O. Shehan	
John B. Mollett	Dr. B. F. Shields	—70

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

A message was received from the Senate announcing that they had passed a bill which originated in the Senate, entitled:

S. B. 329. An Act relating to public roads and bridges, providing State aid for the improvement, reconstruction and maintenance of county roads.

Ordered that said bill be printed and referred to the Committee on Rules.

Mr. Dickson of the Committee on Enrollment, reported that they had examined and found to be correctly enrolled, bills of the following titles, viz.:

S. Res. 24. Resolution authorizing Nina Ruth Bennett to sue the Commonwealth.

S. Res. 22. Resolution authorizing Charlie Coogle to sue the Commonwealth.

S. Res. 19. Resolution authorizing R. A. Bodkin and W. H. Coathes to sue the Commonwealth.

S. Res. 18. Resolution authorizing Boone Dick to sue the Commonwealth.

S. Res. 26. Resolution authorizing the personal representative of Clay Lightfoot to sue the Commonwealth.

S. Res. 7. Resolution authorizing R. L. Bayne and Dell Bonn to sue the Commonwealth.

S. Res. 17. Resolution authorizing R. E. Stanley to sue the Commonwealth.

S. B. 100. An Act providing for the election of boards of election commissioners.

H. B. 110. An Act relating to redemption of land sold for taxes and interest and penalty thereon and the possesion thereof.

H. B. 68. An Act defining passenger automobiles and providing for the registration fees of such motor vehicles and fixing the amount of said registration fees.

H. B. 25. An Act relating to Primary Roads.

H. B. 28. An Act relating to Primary Roads.

H. B. 29. An Act relating to Primary Roads,

H. B. 47. An Act relating to Primary Roads.

H. B. 53. An Act relating to Primary Roads.

H. B. 61. An Act relating to Primary Roads.

H. B. 63. An Act relating to Primary Roads.

H. B. 66. An Act relating to Primary Roads.

H. B. 67. An Act relating to Primary Roads.

H. B. 76. An Act relating to Primary Roads.

H. B. 80. An Act relating to Primary Roads.

H. B. 81. An Act relating to Primary Roads.

H. B. 82. An Act relating to Primary Roads.

H. B. 85. An Act relating to Primary Roads.

H. B. 86. An Act relating to Primary Roads.

H. B. 87. An Act relating to Primary Roads.

H. B. 88. An Act relating to Primary Roads.

H. B. 89. An Act relating to Primary Roads.

H. B. 92. An Act relating to Primary Roads.

H. B. 93. An Act relating to Primary Roads.

H. B. 94. An Act relating to Primary Roads.

H. B. 97. An Act relating to Primary Roads.

H. B. 98. An Act relating to Primary Roads.

H. B. 99. An Act relating to Primary Roads.

H. B. 100. An Act relating to Primary Roads.

H. B. 102. An Act relating to Primary Roads.

H. B. 103. An Act relating to Primary Roads.

H. B. 104. An Act relating to Primary Roads.

H. B. 112. An Act relating to Primary Roads.

H. B. 123. An Act relating to Primary Roads.

H. B. 125. An Act relating to Primary Roads.

H. B. 126. An Act relating to Primary Roads.

H. B. 127. An Act relating to Primary Roads.

H. B. 131. An Act relating to Primary Roads.

H. B. 132. An Act relating to Primary Roads.

H. B. 133. An Act relating to Primary Roads.

H. B. 134. An Act relating to Primary Roads.

H. B. 135. An Act relating to Primary Roads.

H. B. 136. An Act relating to Primary Roads.

H. B. 138. An Act relating to Primary Roads.

H. B. 139. An Act relating to Primary Roads.

H. B. 143. An Act relating to Primary Roads.

H. B. 145. An Act relating to Primary Roads.

H. B. 151. An Act relating to Primary Roads.

H. B. 154. An Act relating to Primary Roads.

H. B. 155. An Act relating to Primary Roads.

H. B. 157. An Act relating to Primary Roads.

H. B. 170. An Act relating to Primary Roads.

H. B. 178. An Act relating to Primary Roads.

H. B. 179. An Act relating to Primary Roads.

H. B. 180. An Act relating to Primary Roads.

H. B. 181. An Act relating to Primary Roads.

H. B. 182. An Act relating to Primary Roads.

H. B. 191. An Act relating to Primary Roads.

H. B. 192. An Act relating to Primary Roads.

H. B. 193. An Act relating to Primary Roads.

H. B. 194. An Act relating to Primary Roads.

Thereupon all other business was suspended, said bills were read at length and compared in open session and found to be correctly enrolled, and thereupon the Speaker, in open session and in the presence of the House, affixed his signature thereto,

Ordered that said bills which originated in the Senate be delivered to the Enrolling Clerk of the Senate.

Ordered that the Enrolling Clerk of this House deliver said bills which originated in the House, to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled copies of said bills, duly signed by the President of the Senate, into the possession of the Chief Clerk of this House.

Ordered that the Chief Clerk aforesaid deliver said bills to the Governor.

After a time the Chief Clerk reported that he had discharged that duty.

Dr. Shields of the Committee on Rules, to which the same had been referred, reported bills of the following titles, viz.:

S. B. 51. An Act relating to the administrative procedure of the Workmen's Compensation Board.

S. B. 50. An Act relating to industrial compensation.

S. B. 262. An Act regulating and governing the transportation for hire of persons and property by motor vehicles, etc.

S. B. 291. An Act to provide for and enlarged use of the public records of the Commonwealth of Kentucky.

S. B. 141. An Act relating to gas for cities of the second, third, fourth, fifth and sixth classes.

S. B. 329. An Act relating to public roads and bridges,

providing State aid for the improvement, reconstruction and maintenance of county roads, etc.

With the expression of opinion that said bills ought to pass.

Said bills were severally read at length the first time and ordered to be placed on the Calendar.

Mr. Gnau moved that the House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

FRIDAY, FEBRUARY 14, 1936.

The House was opened with prayer by Mr. Scheben of the county of Campbell.

The roll was called and the following members answered to their names, viz.:

Henry H. Allen	George S. Clay	G. W. Garrett
C. W. Anderson, Jr.	J. A. Coleman	Ferd A. Gnau
H. T. Baker	Roy Conway	Ben Grogan
W. T. Baker	Herbert Cook	Jas. T. Hamilton
G. M. Ballard	Harry Davis	C. L. Hammons
B. F. Bedford	Sam Dever	W. L. Hampton, Jr.
Reuben J. Boling	Stanley S. Dickson	Thomas W. Hines
Douglas Bolling	George W. Dunlap	Price Holbrook
Ollie J. Bowen	Howard G. Early	Clyde S. Howard
Wallace Brown	Garland Embry	Ira W. Hulette
Dr. R. A. Byers	Walter R. Fannin	John M. Hunnicut
Jas. C. Carter	Chas. P. Farnsley	Ben W. Johnson
V. O. Chandler	T. P. Fitzpatrick	J. H. Jones
Floyd Clark	H. Myer Garner	O. C. Jones
Roscoe Claxon	James Garnett, Jr.	R. T. Kirkman

J. F. Ladd	Rodes K. Myers	Ray O. Shehan
Leslie Larrimore	J. C. Nickell	Dr. B. F. Shields
Robert E. Lee	Russell O'Neill	P. L. Sidebottom
M. T. McCarthy	Mel Petry	Chester D. Silvers
T. B. McConnell	A. W. Pfeiffer	H. C. Steely
J. L. McDermott	J. C. Ramey	Henry Stewart
Lloyd MacDonald	Hobart Rayburn	Dr. H. S. Swope
W. F. McGary	Harry C. Records	W. R. Tapp
Elmer McGlothen	L. K. Rice	J. J. Thomas
C. S. Matherly	Wade H. Riley	R. Van Bever, Jr.
D. T. Matlack	Joe E. Robinson	S. J. Wagner
Duke Mayfield	John C. Robinson	Joseph L. Wall
W. H. Miller	W. T. Rollo	Henry Ward
John B. Mollett	A. W. Ross	L. R. Wells
W. E. Mull	Carl Scheben	W. G. Williams
Tyler Munford	Carl Schneider	Charles Wylie

Mr. Davis moved that the reading of the Journal of yesterday's proceedings be dispensed with.

Said motion was agreed to.

Mr. Davis moved that the session of today be extended indefinitely.

Said motion was agreed to.

A message was received from the Senate announcing that they had passed bills which originated in the Senate, entitled:

S. B. 241. An Act to repeal, amend and re-enact Sections 201c-1 to 201c-12 inclusive, Kentucky Statutes, Carroll's 1930 Edition, relating to the issual of free passes and the giving of reduced rates by common carriers and repealing all laws in conflict therewith.

S. B. 174. An Act repealing and re-enacting Section 3767, Carroll's Kentucky Statutes, relating to the formation of limited partnerships.

Ordered that said bills be printed and referred to the Committee on Rules.

Dr. Shields of the Committee on Rules, to which the same had been referred, reported bills of the following titles, viz.:

S. B. 241. An Act to repeal, amend and re-enact Sections 201c-1 to 201c-12 inclusive; Kentucky Statutes, Carroll's 1930 Edition, relating to the issual of free passes and the giving of reduced rates by common carriers, etc.

S. B. 174. An Act repealing and re-enacting Section 3767, Carroll's Kentucky Statutes, relating to the formation of limited partnerships.

With the expression of opinion that said bills ought to pass.

Said bills were severally read at length the first time and ordered to be placed on the Calendar.

Dr. Shields moved that the Rules of this House be suspended and that the House proceed to the consideration of the Orders of the Day.

Said motion was agreed to.

Thereupon the House took up for consideration from the Calendar, bills of the following titles, viz.:

S. B. 51. An Act relating to the administrative procedure of the Workmen's Compensation Board.

S. B. 50. An Act relating to industrial compensation.

S. B. 262. An Act regulating and governing the transportation for hire of persons and property by motor vehicles, etc.

S. B. 291. An Act to provide for and enlarged use of the public records of the Commonwealth of Kentucky.

S. B. 141. An Act relating to gas for cities of the second, third, fourth, fifth and sixth classes.

S. B. 329. An Act relating to public roads and bridges, providing State aid for the improvement, reconstruction and maintenance of county roads, etc.

Ordered that said bills be read the second time.

The Constitutional provision as to the second reading of said bills at length being dispensed with, said bills were read the second time by their titles only.

Ordered that said bills be placed in the Orders of the Day.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 314. An Act to amend, repeal and re-enact Section 1991, Kentucky Statutes, 1934 Baldwin's Supplement, relating to the per diem of officers and employees of the General Assembly.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 1991 of Baldwin's Kentucky Statutes Service, 1934 Edition, be repealed, amended and re-enacted so that when repealed, amended and re-enacted it shall read as follows:

(1) All of said employees shall receive a per diem and it shall be as follows: That of the chief clerk, twenty-six dol-

lars ($26.00); that of the assistant clerk, sixteen dollars ($16.00); that of the enrolling clerk, twenty-five dollars ($25.00); that of the sergeant-at-arms, twenty-two dollars ($22.00); that of the doorkeeper, eighteen dollars ($18.00); that of the janitor, nine dollars ($9.00); that of the cloakroom keeper, twelve dollars ($12.00), and that of the pages, eight dollars each ($8.00).

(2) The sum of money necessary to pay the per diem of the employees named above shall be paid by the treasurer to the clerks of the House and Senate upon requisition by the said clerks for the purpose, drawn on the State Auditor. The amount of money requisitioned for by the said clerks shall be distributed by them to the various employees by the clerk of the Senate in the case of Senate employees, and by the clerk of the House in the case of House employees.

(3) The provisions of this act relative to the compensation of the employees of the House and the Senate shall be effective and apply to the present session of the General Assembly, provided that there shall be deducted from any amount due said employees such sum or sums as have already been paid them for services rendered during the 1936 session.

(4) Should any section, paragraph, clause or line of this act be construed by the court as being unconstitutional or invalid for any reason, this shall not affect the remainder of this act, it being the purpose of the Legislature to enact each section, paragraph, clause or line of this act separately.

§ 2. Whereas, the employees of the Senate of the General Assembly of the Commonwealth have been unable to obtain the compensation due them for their services rendered at the 1936 session and are unable to pay necessary living expenses and bills created by them, an emergency is declared to exist and this act shall take effect upon its passage and approval by the Governor.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

C. W. Anderson, Jr.	C. L. Hammons	Mel Petry
H. T. Baker	W. L. Hampton, Jr.	A. W. Pfeiffer
B. F. Bedford	Thomas W. Hines	J. C. Ramey
Reuben J. Boling	Clyde S. Howard	Hobart Rayburn
Douglas Bolling	Ira W. Hulette	Harry C. Records
Ollie J. Bowen	John M. Hunnicut	L. K. Rice
Wallace Brown	Ben W. Johnson	Wade H. Riley
Dr. R. A. Byers	J. H. Jones	Joe E. Robinson
Jas. C. Carter	O. C. Jones	W. T. Rollo
V. O. Chandler	R. T. Kirkman	A. W. Ross
Roscoe Claxon	J. F. Ladd	Carl Scheben
George S. Clay	M. T. McCarthy	Ray O. Shehan
J. A. Coleman	T. B. McConnell	Dr. B. F. Shields
Roy Conway	J. L. McDermott	P. L. Sidebottom
Sam Dever	Lloyd MacDonald	Chester D. Silvers
Stanley S. Dickson	W. F. McGary	Bruce Sloan
George W. Dunlap	Elmer McGlothen	H. C. Steely
Garland Embry	C. S. Matherly	Dr. H. S. Swope
Walter R. Fannin	D. T. Matlack	W. R. Tapp
T. P. Fitzpatrick	Duke Mayfield	R. Van Bever, Jr.
H. Myer Garner	W. H. Miller	S. J. Wagner
James Garnett, Jr.	John B. Mollett	Joseph L. Wall
G. W. Garrett	W. E. Mull	Henry Ward
Ferd A. Gnau	Tyler Munford	L. R. Wells
Eugene Gough	Rodes K. Myers	W. G. Williams
Ben Grogan	J. C. Nickell	Charles Wylie
Jas. T. Hamilton	Russell O'Neill	

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Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 36. An Act authorizing the various counties of the Commonwealth to contract with cities owning and operating hospitals for hospitalization for poor and indigent persons.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the various counties of the Commonwealth of Kentucky be and they are authorized to enter into contracts with any city in the Commonwealth owning and operating its own municipal or city hospital for hospitalization of poor and indigent persons, residents of the counties so contracting, who may require hospitalization and are financially unable to pay for same, and to pay for same out of the county funds; provided, however, that in any county of the Commonwealth wherein there is no city-owned hospital, the Fiscal Court of such county or counties are authorized to enter into such contracts with any privately-owned hospital of such county, or if there is no hospital in such county, then said Fiscal Court may enter into such contract with a hospital of some adjoining county and pay therefor as herein provided.

§ 2. All laws and parts of laws in conflict herewith are hereby repealed to the extent of such conflict.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of

said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. T. Baker	G. W. Garrett	J. C. Nickell
W. T. Baker	Ferd A. Gnau	Russell O'Neill
G. M. Ballard	Ben Grogan	Mel Petry
B. F. Bedford	Jas. T. Hamilton	A. W. Pfeiffer
Reuben J. Boling	C. L. Hammons	J. C. Ramey
Douglas Bolling	W. L. Hampton, Jr.	Hobart Rayburn
Ollie J. Bowen	Thomas W. Hines	Harry C. Records
Wallace Brown	Price Holbrook	L. K. Rice
Dr. R. A. Byers	Clyde S. Howard	Wade H. Riley
Jas. C. Carter	John M. Hunnicut	Joe E. Robinson
V. O. Chandler	Ben W. Johnson	W. T. Rollo
Floyd Clark	J. H. Jones	A. W. Ross
Roscoe Claxon	O. C. Jones	Carl Scheben
George S. Clay	R. T. Kirkman	Ray O. Shehan
J. A. Coleman	J. F. Ladd	Dr. B. F. Shields
Roy Conway	Leslie Larrimore	P. L. Sidebottom
Herbert Cook	Robert E. Lee	Chester D. Silvers
Harry Davis	T. B. McConnell	H. C. Steely
Sam Dever	J. L. McDermott	Henry Stewart
Stanley S. Dickson	Lloyd MacDonald	Dr. H. S. Swope
George W. Dunlap	W. F. McGary	J. J. Thomas
Howard G. Early	Elmer McGlothen	R. Van Bever, Jr.
Garland Embry	D. T. Matlack	S. J. Wagner
Walter R. Fannin	W. H. Miller	Joseph L. Wall
T. P. Fitzpatrick	John B. Mollett	Henry Ward
H. Myer Garner	W. E. Mull	W. G. Williams
James Garnett, Jr.	Rodes K. Myers	Charles Wylie

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Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 253. An Act to amend an act, entitled an act to amend an act, in relation to the Kentucky State Board of Dental Examiners, which act became effective June 3, 1932, and being Section 2636, with its 23 subsections, of Carroll's Kentucky Statutes, and to regulate the practice of dentistry in the State of Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

CONTINUANCE OF BOARD AND MANNER OF APPOINTMENT

§ 1. That the Kentucky State Board of Dental Examiners heretofore created be continued, to consist of five practicing dentists, whose duty it shall be to carry out the purposes and enforce the provisions of this Act as hereafter specified. The members of said board shall be appointed by the Governor from a list of three names for each member to be appointed, to be recommended by the Kentucky State Dental Association, at its annual meeting, and at the time of their appointment upon said board must have been actual residents and legally licensed practicing dentists of this State for a period of four years or more immediately preceding their appointment: Provided, however, That no person shall be eligible to appointment to said board who is in any way connected with or interested in any dental college or dental department of any institution of learning or dental supply

business. The term for which the members of said board shall hold office shall be four years, provided the present members of the board in office at the time of the passage of this Act shall continue in office until their respective terms have expired and until their successors are appointed and qualified. All vacancies in said board shall be filled by the Governor from said list.

OFFICERS, MEETINGS, RECORDS, ETC.

§ 2. Said Board of Dental Examiners shall choose one of its members President, and one Secretary-Treasurer, thereof, at an annual meeting on the first Tuesday in June of each year. Said board may meet oftener if necessary in the discretion of the board at such places as it may deem proper, for the examination of applicants who desire to practice dentistry in this State, and for the transaction of any other business that may come before it. Said board shall keep a record book in which shall be registered the names, addresses, license numbers, of all persons legally entitled to practice dentistry in this State. A majority of the members of said board shall at all times constitute a quorum for the transaction of business, and the proceedings of said board shall be recorded in a minute book open at all reasonable times to public inspection. The Secretary-Treasurer shall execute to the said board bond with approved security for the faithful performance of his duties.

Said Board of Dental Examiners shall have power to make rules and regulations for its own conduct and procedure, may provide for the affiliation with the National association of Dental Examiners and send delegates to its meetings and pay the expense thereof; to select the subjects and the standard of proficiency and percentage for examinations to practice dentistry; to employ an attorney to advise and assist it in carrying out and enforcing the provisions of this Act and pay him a reasonable compensation therefor, and to reg-

ulate the practice of dentistry in this State not contrary to law.

LICENSES AND REGISTRATION AND HOW GRANTED

§ 3. No person shall practice dentistry in this State or attempt to do so after the passage of this Act without first applying for and obtaining a license for such purpose from the said Kentucky State Board of Dental Examiners, and registering such license as herein provided, and this provision applies to all persons whether they have heretofore practiced dentistry or not in this State, except such persons as have been heretofore licensed and registered. Application shall be made to the said board in writing for license and shall in every instance be accompanied by the examination fee of forty dollars, which sum is authorized to be charged for each examination by said board. The applicant must be of good moral character, at least twenty-one years of age at the time of making the application, and the application of each person seeking a license must be accompanied by satisfactory evidence to said board that the applicant so applying is a graduate of and has a diploma from the faculty of a reputable dental college, school, or dental department of a reputable university, rated as A or B by the Dental Educational Council of America and should the Dental Educational Council of America cease to exist the board of examiners shall rate dental colleges, dental schools, or dental departments of a university. Examinations must be clinical and written and of such a character as to satisfactorily test the qualifications of the applicant to practice dentistry, and the board may, in its discretion, refuse to grant license to any person they find guilty of cheating, deception, or fraud during such examination. Examination papers and clinical examination results where possible shall be retained by the Secretary of the board for a period of two years.

REGISTERING LICENSE WITH COUNTY CLERK

§ 4. Every person licensed to practice dentistry in this State by the said Kentucky State Board of Dental Examiners, as herein provided shall, before beginning the practice of dentistry, cause said license to be registered with the county clerk of each county in which such person desires to engage in the practice of dentistry by appearing before such clerk and filing his affidavit, showing that he has been examined and licensed as herein provided, and the county clerk of each county before whom such persons appear shall attest the filing of the license certificate in duplicate on blanks furnished to the licensee by the board, one copy to be retained by the licensee and the other copy to be forwarded to the Secretary of the board by the licensee, and the county clerk of each county is authorized to receive a registration fee of fifty cents for each registration.

DISPLAY OF LICENSE AND CERTIFICATE OF REGISTRATION

§ 5. The license to practice dentistry herein provided, and the certificate of registration (together with the annual license renewal certificate) shall at all times be displayed in a conspicuous place in his or her office wherein he or she shall practice the profession of dentistry, and if there are more dentists than one practicing or employed, in any dental office, the proprietor of such office shall post and display or cause to be posted or displayed in like manner the name, license, and registration certificate of each dentist so practicing and so employed therein. Any person practicing dentistry within the meaning of this Act, who shall fail to so post and display, or cause to be posted or displayed, the name, license, and registration certificate of himself and any person practicing or employed to practice as a dentist in his or her dental office shall be guilty of a misdemeanor, and upon conviction thereof they shall be subject to a fine of not less than twenty-five dollars nor more than fifty dollars ($50.00) for the first offense,

and for every subsequent offense he or she shall be subjected to a fine of not less than one hundred dollars nor more than two hundred and fifty dollars, or by imprisonment for a period of not less than sixty days, or by both such fine and imprisonment, and he or she shall whenever requested, exhibit such license to members of the Board of Dental Examiners or its authorized agent.

REFUSAL OF LICENSE

§ 6. The State Board of Dental Examiners may refuse to issue license for any of the following causes:

The presentation to the board of any diploma, license, or certificate illegally or fraudulently obtained, or one obtained from an institution which is not reputable, or an unrecognized or irregular institution or state board, or the practice of any fraud or deception, or failure to meet the required standard of proficiency or percentage for examinations fixed by the State Board.

REVOCATION OR SUSPENSION OF LICENSE

§ 7. Said State Board of Dental Examiners may revoke or suspend the certificate of license of any dentist for any of the following causes:

(1) His conviction of a felony or misdemeanor involving moral turpitude, in which case the record of conviction or a certified copy thereof, certified by the clerk of the court or by the judge in whose court the conviction is had, shall be conclusive evidence.

(2) For renting or loaning to any person his or her license or diploma to be used as a license or diploma of such person.

(3) For unprofessional conduct, or for gross ignorance or inefficiency in his profession. Unprofessional conduct shall mean employing what are known as "cappers" or steerers" to obtain business; the obtaining of any fee by fraud or mis-

representation; willfully betraying professional secrets; employing directly or indirectly any student or any suspended or unlicensed dentist to perform operations of any kind, or to treat lesions of the human teeth or jaws, or correct malimposed formations thereof; making use of any advertising statements of a character tending to deceive or mislead the public; advertising professional superiority or the performance of professional services in a superior manner; advertising prices for professional service; advertising by means of large display, glaring light signs, or containing as a part thereof the representation of a tooth, teeth, bridge work or any portion of the human head; employing or making use of advertising solicitors of free publicity press agents; or advertising any free dental work, or free examination; or advertising to guarantee any dental service, or to perform any dental operation painlessly; or habitual intemperance or gross immorality. The proceedings under this section may be taken by the board from the matters within its knowledge, or may be taken upon the information of another; provided, however, that if the informant is a member of the board, the other members of the board shall constitute the board for the purpose of finding judgment of the accused. All accusations must be in writing, verified by some party familiar with the facts therein charged, and three copies thereof must be filed with the secretary of the board. Upon receiving the accusation the board shall, if it deem it sufficient, make an order setting the same for hearing, and requiring the accused to appear and answer it at said hearing, at a specified time and place, and the secretary shall cause a copy of the order and of the accusation to be served upon the accused at least 10 days before the day appointed in the order for said hearing. The accused must appear at the time appointed in the order and answer the charges and make his defense to the same, unless for sufficient cause the board assign another day for that purpose. If he does not appear the board may proceed and determine the accusation

in his absence. If the accused plead guilty or refuse to answer the charges, or, upon the hearing thereof, the board shall find them or any of them true, it may proceed to a judgment of either revoking his license or suspending it. The board and the accused may have the benefit of counsel, and the board shall have power to administer oaths, take the depositions of witnesses in the manner provided by law in civil cases and compel them to attend before it in person the same as in civil cases, by subpoena issued over the signature of the secretary and the seal of the board and in the name of the people of the State of Kentucky. Upon the revocation of any license the fact shall be noted upon the records of the board of dental examiners and the license shall be marked as canceled upon the date of its revocation. The secretary of the board shall, upon judgment of suspension or revocation being entered, transmit to the county recorder wherein the license of the licensee affected by such judgment is recorded a copy of such judgment order, certified to as such by said secretary of the board, for record, and the same shall be recorded in the same manner and the same book wherein is kept the record of the certificate to practice dentistry. In case of the revocation of a license by the board the licentiate whose license shall have been revoked by the said board shall have the right to appeal from said revocation within 30 days of the cancellation of said license. Such appeal shall be to the circuit court in and for the county in which was held the meeting of the board in which such revocation was made. In case a person desires to take such appeal he shall serve, or cause to be served, upon the secretary of said board a written notice of such appeal, which shall contain a statement of the grounds of such appeal, and shall file in the office of such secretary an appeal bond with good and sufficient surety, to be approved by such secretary, to the State of Kentucky, conditioned for the speedy prosecution of such appeal and the payment of such costs as may be charged against him upon such appeal. Said secretary, with-

in 10 days after the service of said notice of appeal, and the filing and approval of said bond, shall transmit to the clerk of the circuit court, to which said appeal is taken, a certified copy under the seal of said board of accusations on which the revocation was based, the ground for appeal, together with the notice and bond of appeal. The clerk of such court shall thereupon docket such appeal causes and they shall be tried in all respects as ordinary civil actions and like proceedings shall be had thereon. Upon such appeal said cause shall be tried de novo. Either party may appeal from the judgment of this circuit court to the Supreme Court in the manner as civil actions may be appealed thereto. The judgment shall be stayed from the date of the approval of said bond until final determination of said appeal.

FAILURE TO REGISTER LICENSE

§ 8. Any failure, neglect or refusal on the part of any person obtaining a license to practice dentistry from the State Board of Dental Examiners, to register said license with the county clerk of some county in this State within ninety days from the date of the issual of such license, or on removal to another county within the State, to cause his license to be registered in the same manner as above provided, shall work a forfeiture of such license, and no license when once forfeited shall be restored except upon payment to the said board of the sum of twenty-five dollars for such neglect, failure, or refusal to register such license.

EXAMINATION FEES AND COMPENSATION TO MEMBERS OF THE BOARD

§ 9. In order to provide the means for carrying out and enforcing the provisions of this Act, the said board shall charge each person applying for an examination for a license to practice dentistry in this State an examination fee of forty dollars, and in addition thereto, a fee of five dollars for every

license and five dollars for every duplicate license issued by said board, and out of the funds coming into possession of the said board under the provisions of this Act, the members of said board shall each receive as compensation the sum of ten dollars for each day actually engaged in duties of the office, and all necessary expenses incurred in attending the meetings of said board; provided that the secretary of the board shall be allowed reasonable salary to be fixed by the board and no per diem: all expenses shall be paid from the fees and penalties received and recovered by the board under the provisions of this Act; provided that no part of said expenses shall be paid out of the State Treasury. All money received in excess of said per diem allowances and other expenses, herein provided, shall be held by the Secretary-Treasurer of said board as a special fund for meeting the other expenses of said board, and for such use as the said board may deem necessary in the enforcement of this Act, and said board shall make an annual report of its proceedings to the Governor on or before the 31st day of December each year, showing all money received and disbursed by it pursuant to this Act.

RENEWAL CERTIFICATES OF LICENSE

§ 10. On or before the 31st day of December each year, every dentist legally licensed to practice dentistry in this State shall transmit to the Secretary of the said Board of Dental Examiners his signature and address, together with the fee of three dollars and the number of his or her registration certificate, and receive therefor a renewal license certificate. Provided that the license shall not be renewed, if the holder thereof has not been in active practice for five years immediately preceding. Any license granted by said board shall be canceled and annulled if the holder thereof fails to secure the renewal certificate herein provided for by March 1st of each year, provided any license thus canceled may be

restored by the board upon the payment of fee of twenty-five dollars if paid within one year after such cancellation.

PENALTY FOR FRAUD IN OBTAINING CERTIFICATE OF REGISTRATION

§ 11. Any person filing or attempting to file as his own the diploma or license of another, or a forged affidavit of identification or qualification, shall be deemed guilty of a felony and be punished upon conviction by imprisonment in the penitentiary of not less than one or more than five years.

Any person who shall assist any applicant to cheat or deceive the examining board or any member thereof, or who shall give or attempt to give assistance to any applicant in the course of his or her examination, or assist any applicant who is not entitled shall upon conviction thereof be adjudged guilty of misdemeanor.

DENTISTRY DEFINED

§ 12. Any person shall be regarded as practicing dentistry, within the meaning of this Act, who shall diagnose, x-ray, or treat or profess to treat, any of the diseases or lesions of the oral cavity, teeth, gums, maxillary bones (or their dependent tissues), or extract teeth, or shall prepare or fill cavities in human teeth, correct malposition of teeth or jaws, or supply artificial teeth as substitutes for natural teeth, or administer anesthetics, general or local, or any other practice included in the curricula of recognized dental colleges, or who shall use the word "Dentist," dental surgeon, dental laboratory, the letters D. D. S., D. M. D., or other letters or titles in connection with his or her name, or in any other manner represent themselves as being engaged in the practice of dentistry. Provided, that nothing in this Act shall be so construed as to prevent regularly licensed physicians and surgeons from extracting teeth or treating any disease coming within the province of the practice of medicine.

EXEMPTION FROM JURY SERVICE

§ 13. All dentists of this State shall be exempt from service as jurors in any of the courts of this State.

SIGNATURE, SEAL, ETC., ON LICENSE

§ 14. All licenses issued by said board shall bear a serial number, the full name of the applicant, the date of the issue, the seal of the board, and be signed by a majority of the members, and attested by its President and Secretary.

UNLAWFUL TO PRACTICE UNDER NAME OF A COMPANY

§ 15. It shall be unlawful for any person or persons to practice or offer to practice dentistry or dental surgery under the name of any company, association, or corporation, and every person or persons practicing or offering to practice dentistry or dental surgery, shall practice under his or her own respective name or names only, and shall not use his name in connection with that of another dentist.

PENALTY FOR PRACTICING WITHOUT LICENSE OR CERTIFICATE

§ 16. Any person who shall practice or attempt to practice dentistry in this State without having been licensed and registered for that purpose, or who has had his license revoked or who shall at the time have his license suspended, as herein provided, or who shall violate any of the provisions of this Act, for which no specific penalty has been provided herein, shall be subject to fine of not less than one hundred dollars nor more than five hundred dollars for the first offense. Each offense shall constitute a practicing of dentistry within the meaning of this Act and each day that a person shall hold himself out as practicing dentistry within the meaning of this Act, and each day that a person shall hold himself out as practicing in any name except his own shall be deemed a separate offense. Any person who shall be guilty of a second offense shall be deemed guilty of a felony and upon conviction shall

be punished by a fine of one hundred dollars nor more than five hundred dollars or imprisonment of six months or both. The opening of an office for the purpose of practicing dentistry, or to announce to the public in any way a readiness to do any act defined herein as being dentistry, shall be deemed to engage in the practice of dentistry, within the meaning of this Act.

DISPOSITION OF FEES

§ 17. All fees, imposed and collected under the provisions of this Act, shall be paid to the Secretary-Treasurer of the Kentucky State Board of Dental Examiners for the use of said Board.

DRUGGISTS MAY FILL DENTISTS' PRESCRIPTIONS

§ 18. Legally licensed druggists of this State may fill prescriptions of legally licensed dentists of this State for any drug necessary to the practice of dentistry. Dentists may sign death certificates the same as physicians, when necessary in the line of their profession.

§ 19. This Act shall not prevent students from performing dental operations under the supervision of competent instructors within the dental school, college, or dental department of a university recognized by the Kentucky State Board of Dental Examiners: Provided, the board at its discretion may authorize the students of any dental college, dental school, or dental department of a university to practice dentistry, in any of the state or municipal institutions, or public schools, or under the board of health, or public clinic, or charitable institution; provided they are at all times under the direct supervision of a licensed dentist in Kentucky, who is an instructor of the institution at which the students are studying.

The provisions of this Act are severable, and if any of its provisions shall be held unconstitutional the decisions of

courts shall not affect or impair any of the remaining provisions of this Act. It is hereby declared as a legislative intent that this Act would have been adopted had not such unconstitutional provisions been included therein.

REPEALING FORMER DENTAL LAWS

§ 20. All laws or parts of laws in conflict with this Act are hereby repealed.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

C. W. Anderson, Jr.	Sam Dever	John M. Hunnicut
H. T. Baker	Stanley S. Dickson	Ben W. Johnson
W. T. Baker	George W. Dunlap	J. H. Jones
B. F. Bedford	Howard G. Early	O. C. Jones
Douglas Bolling	Garland Embry	J. F. Ladd
Ollie J. Bowen	Walter R. Fannin	Leslie Larrimore
Wallace Brown	T. P. Fitzpatrick	Robert E. Lee
Dr. R. A. Byers	H. Myer Garner	M. T. McCarthy
Jas. C. Carter	James Garnett, Jr.	T. B. McConnell
V. O. Chandler	G. W. Garrett	J. L. McDermott
Floyd Clark	Ferd A. Gnau	Lloyd MacDonald
Roscoe Claxon	Ben Grogan	W. F. McGary
George S. Clay	Jas. T. Hamilton	C. S. Matherly
J. A. Coleman	C. L. Hammons	D. T. Matlack
Roy Conway	W. L. Hampton, Jr.	Duke Mayfield
Herbert Cook	Price Holbrook	W. H. Miller
Harry Davis	Clyde S. Howard	John B. Mollett

W. E. Mull	Joe E. Robinson	W. R. Tapp
Tyler Munford	W. T. Rollo	J. J. Thomas
Rodes K. Myers	Carl Scheben	R. Van Bever, Jr.
J. C. Nickell	Ray O. Shehan	S. J. Wagner
Russell O'Neill	Dr. B. F. Shields	Joseph L. Wall
Mel Petry	P. L. Sidebottom	Henry Ward
A. W. Pfeiffer	Chester D. Silvers	W. G. Williams
Harry C. Records	H. C. Steely	Charles Wylie
L. K. Rice	Henry Stewart	
Wade H. Riley	Dr. H. S. Swope	—79

Those who voted in the negative were—

Elmer McGlothen	J. C. Ramey	Hobart Rayburn

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Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 105. An Act to amend the following Sections of Carroll's Kentucky Statutes, 1930 Edition: Sections 1599a-1, 1599a-3, 1599a-4, 1599a-8-a, 1599a-10, 1599a-17, and the following Sections of Baldwin's 1933 Supplement to Carroll's Kentucky Statutes: Sections 1599a-7, 1599a-8 and 1599a-11.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 1599a-1 of Carroll's Kentucky Stat-

utes, 1930 Edition, be, and the same is hereby, amended so that when so amended the same shall read as follows:

The Board heretofore known as the State Board of Embalming of Kentucky shall hereafter be known and designated as the State Board of Embalmers and Funeral Directors of the State of Kentucky. The said Board shall consist of five members to be appointed by the Governor, and all vacancies occurring on the Board shall be filled by the Governor for the unexpired term. Each member of said Board shall serve for a term of four years from the date of his appointment. The members of said Board as now constituted shall continue in office until their respective terms expire, thereafter all appointees of the Governor on said Board shall be residents of the State of Kentucky, shall be licensed embalmers and practicing funeral directors with a minimum of five years consecutive experience in the practice of embalming and the care and disposition of dead human bodies and funeral directing in this State immediately preceding their appointment.

§ 2. That Section 1599a-3 of Carroll's Kentucky Statutes, 1930 Edition, be, and the same is hereby, amended so that when so amended the same shall read as follows:

The Governor shall furnish each person appointed to serve on the State Board of Embalmers and Funeral Directors of the State of Kentucky a certificate of appointment, each member to be selected from three names to be furnished each year by the State Funeral Directors Association, and such appointee shall qualify by taking the usual oath of office before any officer authorized by law to administer oaths in this State within ten days after such appointment has been made and this fact shall be noted on the certificate of appointment and filed with said Board.

§ 3. That Section 1599a-4 of Carroll's Kentucky Statutes, 1930 Edition, be, and the same is hereby, amended so that when so amended the same shall read as follows:

The said Board of Embalmers and Funeral Directors of

the State of Kentucky shall have the power and it shall be its duty—

(a) To select out of its own members a President, and it may also select a Secretary and Treasurer and adopt and promulgate and enforce such rules and regulations for the transaction of its business and the management of its affairs and the betterment and promotion of the educational standards of the profession of embalming and the standards of service and practice to be followed in the profession of embalming and funeral directing in the State of Kentucky as it may deem expedient and consistent with the laws of the State of Kentucky.

All the members of the said Board with the exception of the Secretary shall serve without compensation but shall be reimbursed for their necessary traveling expenses and other necessary expenses incident to their attendance upon the business of the Board, and in addition thereto the sum of $10.00 per diem not to exceed sixty days per year actually spent by said members upon the business of the Board. The Secretary shall receive and be paid an annual salary not to exceed $2,400.00 per annum, the amount and method of payment of which shall be fixed by said Board, and in addition thereto such Secretary shall receive his necessary traveling and other incidental expenses incurred in the performance of such duties, and all such expenses, per diem, and compensation shall be paid out of the receipts of the Board and/or any appropriation made therefor by the General Assembly of the Commonwealth of Kentucky.

(b) To adopt a common seal; to meet at least once in each year and oftener as the proper and efficient discharge of its duties may require. The Secretary of the said Board shall mail notices to all embalmers and undertakers in this State known to him at least fifteen days before any embalmers' or undertakers' examination is to be held by said Board, advising them of the time and place where such examination is to be conducted. All notices to be required to be mailed

shall be directed to the last known post-office address of the party to whom the notice is sent.

(c) There may be recommended by said Board an agent whose title shall be "Field Counsel" for the State Funeral Directors. This recommendation by the Board must be ratified by the State Funeral Directors Association at their regular June meeting each year, the majority of members present voting. The duties of the Field Counsel shall be and is authorized to enter the office, premises, establishment, or place of business of any embalmer or funeral director in the State of Kentucky or any office, premises, establishment, or place of business where embalming or funeral directing is carried on; for the purpose of inspecting said office, premises, establishment, or place of business and for the purpose of inspecting the license and registration of embalmers and funeral directors, and apprentices operating therein; also to make investigations in cases where violations have been made that are contrary to the provisions of this Act; said Agent or "Field Counsel" shall receive such compensation as the State Association and State Board of Embalmers and Funeral Directors may determine.

(d) To employ such clerical help or assistance as may be necessary to carry out the provisions of this Act, the term, condition, and compensation of and for such employment to be designated by the Board.

(e) To prescribe standards of efficiency as to the qualification of those engaged and who may engage in the practice of embalming and undertaking in connection with the care and disposition of dead human bodies in this State.

§ 4. That Section 1599a-7 and Section 1599a-8, Baldwin's Supplement, 1933, to Carroll's Kentucky Statutes be, and the same is hereby amended so that when so amended the same shall read as follows:

After the passage of this Act no person not heretofore licensed or registered in this State shall be granted a license

to engage in the practice of embalming dead human bodies within the Commonwealth of Kentucky, who has not at the time of making application for such license attained the age of twenty-one (21) years, nor shall such person be granted such license unless at the time of making said application, such person shall have a high school education, the same to be evidenced by a certificate or diploma from a high school or a satisfactory showing to the Board of having standard credits or units which would entitle such person to a high school diploma or certificate, providing this Act shall not effect any person now engaged in embalming.

Such person shall have had, before making application for license, a course of study of not less than twenty-six (26) weeks in the science and art of embalming, disinfection and sanitation in a regular school of embalming recognized by said State Board of Embalmers and Funeral Directors.

Each person who applies for license to engage in the practice of embalming must have served an apprenticeship of three years under a licensed embalmer and undertaker, said embalmer and undertaker must have an established place of business, and said apprenticeship must be served in three consecutive years. When beginning on this apprenticeship the person must file a certificate of registration with the State Board of Embalmers and Funeral Directors as an assistant, paying a fee of Five Dollars ($5.00). This certificate must have the name of the person under whom he will work, the date of registration and a sworn statement that the person who is filing will do actual service as a paid assistant in the preparation and care of dead human bodies and will devote the major part of his working hours to such service.

Every person desiring to engage in the practice of embalming dead human bodies in the Commonwealth of Kentucky shall make a written application to the State Board of Embalmers and Funeral Directors, accompanying the application with a fee of Twenty-Five Dollars ($25.00), and in said

application shall give the board full and detailed information as to the requirements above set out with reference to age, school, education, education in the school of embalming, apprenticeship and experience in embalming, such information to be given on blanks furnished by the Board for such purpose. The applicant shall furnish the Board with two certificates of good moral character of the applicant, same to be signed by a licensed embalmer and a licensed undertaker engaged in business in Kentucky. Thereafter, and within a reasonable time, the Board shall notify the applicant of the time and place to be fixed by the Board for an examination of the applicant for license.

Upon such examination, if the Board shall find the applicant of the required age, of good moral character, possessed of the requisite school credits, and to have served the required three years apprenticeship, as above set out, under a member of an established firm, the Board shall issue a license to said applicant to engage in the practice of embalming and the care and preparation of the dead and shall register such applicant a certificate or license signed by a majority of the Board and authenticated by the Board's seal.

Such persons as may receive such certificate or license shall have said license or certificate registered in the office of the County Court Clerk of the County of his residence and shall pay the Clerk of said Court a fee of One Dollar ($1.00) for such registration, and shall display said license or certificate in a conspicuous place in the business of such licensee.

§ 5. That Section 1599a-8-a of Carroll's Kentucky Statutes, 1930 Edition, be, and the same is hereby, amended so that when so amended the same shall read as follows:

Every person not heretofore licensed or registered in this State desiring to engage in the practice or business of funeral directing shall make written application to the State Board of Embalmers and Funeral Directors, accompanying the same with a license of Twenty-Five Dollars ($25.00), containing

the name, age, and place of business of the applicant, the name and place of business of the firms under whom he has served three consecutive years as a registered assistant, and that he had served as a paid assistant in the performance of the duties of an assistant in the care and preparation of dead human bodies, being paid the salary of a registered assistant; that he is of good moral character, twenty-one years of age or over, accompanied with proofs of such facts, by affidavit or otherwise, as may be required by the Board, and if the Board shall find, upon due examination, that the applicant has a reasonable knowledge of sanitation and disinfection of premises, clothing, bedding and all articles subjected to contagion and infection and has a reasonable knowledge of the sanitation and disinfection of bodies of deceased persons where death was caused by an infectious, contagious or communicable disease, and he has all the requirements and qualifications herein stated and has complied with all the rules and regulations of the Board applying to funeral directors, the Board shall issue to said applicant a license to practice funeral directing and thereupon register such applicant as a duly licensed funeral director. Said license shall be signed by a majority of the Board and attested by its seal. All persons receiving a license under the provisions of this Section shall have said license registered in the office of the Board of Health of the city, and where there is not a Board of Health, by the clerk of the town or county court or registrar in the jurisdiction in which it is proposed to carry on the business or practice of funeral directing and said license shall be displayed in a conspicuous place in the office of the licensee.

At least one member of every firm and one employee of each place of business conducted by every corporation that desires to engage in the business or practice of funeral directing shall be a licensed funeral director and shall also have a fixed place of business or establishment devoted to the care and preparation of dead human bodies, but no assistant, no

member of such a firm and no member of such a corporation shall engage in the care, preparation, disposal or burial of dead human bodies and the management of funerals, or shall discharge any of the duties of a funeral director unless he shall be a licensed funeral director in accordance with the provisions of this Act.

That on and after the ..... day of ....., 193....., it shall be unlawful for any person not a registered funeral director to engage in the practice or business of a funeral director, unless said person is a registered funeral director within the meaning of this Act.

§ 6. That Section 1599a-10 of Carroll's Kentucky Statutes, 1930 Edition, be, and the same is hereby, amended so that when so amended the same shall read as follows:

Every registered embalmer and undertaker who desires to continue the practice of his profession shall annually during the time he shall continue in such practice have such license renewed by making and filing with the Secretary of the State Board of Embalmers and Funeral Directors of the State of Kentucky an application therefor within thirty days preceding the expiration of his license upon blanks prescribed by the said Board and upon payment of a renewal fee which shall not be less than Two Dollars ($2.00) nor more than Five Dollars ($5.00), the exact amount thereof to be fixed by the said Board not later than May 1st of each year, which said renewal fee must be paid for each licensed embalmer or undertaker which is sought to be renewed.

§ 7. That Section 1599a-11 of Baldwin's 1933 Supplement to Carroll's Kentucky Statutes, 1930 Edition, be, and the same is hereby, amended so that when so amended the same shall read as follows:

The State Board of Embalmers and Funeral Directors of the State of Kentucky may upon sufficient proof either refuse to issue, or to renew, and may revoke, or suspend for such

period of time as it may determine any certificate of registration or license for any of the following causes:

(a) Conviction of a felony as shown by a certified copy of a judgment of conviction of any Court.

(b) The payment, directly or indirectly, or the causing to be paid, directly or indirectly, of any sum of money or other valuable consideration for the securing of business or for obtaining authority to dispose of any dead human body.

(c) For the possession by licensed funeral director, who has not also a licensed employer, or who does not have a licensed embalmer in his usual employ in his place of business of any embalming fluids, arterial, or cavity fluids, or any chemical for the preservation of the dead, or the use by such funeral director in any way of the same.

(d) For the solicitation in any way of business by the use of free ambulance service, free grave digging or free hearse service, or to pay a commission to secure business.

(e) The employment by licensed funeral director of a person not legally registered as an assistant or licensed for the work that a license is required.

(f) Permitting any person not licensed to perform a service pertaining to funeral directing or embalming, to perform such service, or assisting any person from another State to perform a funeral service in Kentucky which service is in violation of any Kentucky law.

(g) The employment of a solicitor to contact individuals, to quote prices or in any way to solicit business prior to or upon the death of any individual.

(h) The violation of any of the provisions of any law relating to embalming or undertaking, or the violation by any embalmer or undertaker of any rule or regulation prescribed by the State Board for the preparation, embalming, shipping, or burial of any dead human body or the management of funerals.

An appeal is hereby granted from any decision of said State Board of Embalmers and Funeral Directors refusing to issue, or to renew, or of the revocation or suspension of any certificate of registration or license herein provided for to the Circuit Court of the county of the residence or place of business of such person, firm or corporation whose license or certificate of registration is undertaken to be refused to be issued, or renewed, or revoked or suspended by said Board.

§ 8. That Section 1599a-17 of Carroll's Kentucky Statutes, 1930 Edition, be and the same is hereby amended so that when so amended the same shall read as follows:

All moneys collected under the provisions of this Act, whether by fees, fines, or otherwise, shall be deposited by the collecting officer monthly with the Treasurer of the State, and all such moneys shall be used for the purpose of defraying necessary expenses of said Board in the administration of the law.

Mr. Mayfield offered the following amendment to said bill:

Amend S. B. 105 by striking from printed bill all of paragraph C, page 9.

Said amendment was disagreed to.

Mr. McCarthy moved the previous Question.

Thereupon the Speaker announced "Shall the Main Question be now put?"

Which was decided in the affirmative.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of

said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	G. W. Garrett	J. C. Nickell
C. W. Anderson, Jr.	Ferd A. Gnau	Mel Petry
H. T. Baker	W. L. Hampton, Jr.	A. W. Pfeiffer
W. T. Baker	Price Holbrook	Harry C. Records
B. F. Bedford	Clyde S. Howard	L. K. Rice
Douglas Bolling	John M. Hunnicut	Wade H. Riley
Ollie J. Bowen	Ben W. Johnson	W. T. Rollo
Roscoe Claxon	O. C. Jones	Carl Scheben
George S. Clay	J. F. Ladd	Dr. B. F. Shields
J. A. Coleman	Leslie Larrimore	P. L. Sidebottom
Roy Conway	M. T. McCarthy	Chester D. Silvers
Herbert Cook	T. B. McConnell	H. C. Steely
Howard G. Early	J. L. McDermott	Dr. H. S. Swope
Walter R. Fannin	C. S. Matherly	W. R. Tapp
Chas. P. Farnsley	D. T. Matlack	J. J. Thomas
T. P. Fitzpatrick	W. E. Mull	Joseph L. Wall
H. Myer Garner	Tyler Munford	Henry Ward
James Garnett, Jr.	Rodes K. Myers	Charles Wylie

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Those who voted in the negative were—

G. M. Ballard	Ben Grogan	W. H. Miller
Reuben J. Boling	Jas. T. Hamilton	Russell O'Neill
Dr. R. A. Byers	Thomas W. Hines	J. C. Ramey
Jas. C. Carter	J. H. Jones	Hobart Rayburn
V. O. Chandler	R. T. Kirkman	Joe E. Robinson
Harry Davis	Robert E. Lee	John C. Robinson
Sam Dever	Lloyd MacDonald	A. W. Ross
Stanley S. Dickson	W. F. McGary	Henry Stewart
George W. Dunlap	Elmer McGlothen	
Garland Embry	Duke Mayfield	

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Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 270. An Act repealing paragraph VIII of Chapter 106 of the Acts of 1932, now being Section 2739G-87 of Carroll's Kentucky Statutes, Baldwin's Revision, Supplement to 1933, relating to motor vehicles and speed governors thereon.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Paragraph VIII of Chapter 106 of the Acts of 1932, now being Section 2739G-87, Carroll's Kentucky Statutes, Baldwin's Revision, Supplement to 1933, relating to motor vehicles and speed governors be and the same is hereby repealed.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen H. T. Baker W. T. Baker

G. M. Ballard	Ben Grogan	Tyler Munford
B. F. Bedford	James T. Hamilton	Rodes K. Myers
Reuben J. Boling	W. L. Hampton, Jr.	J. C. Nickell
Douglas Bolling	Thomas W. Hines	Russell O'Neill
Ollie J. Bowen	Price Holbrook	Mel Petry
Wallace Brown	Clyde S. Howard	A. W. Pfeiffer
Dr. R. A. Byers	John M. Hunnicut	J. C. Ramey
Jas. C. Carter	Ben W. Johnson	Hobart Rayburn
V. O. Chandler	J. H. Jones	L. K. Rice
Roscoe Claxon	O. C. Jones	Wade H. Riley
George S. Clay	R. T. Kirkman	John C. Robinson
J. A. Coleman	J. F. Ladd	W. T. Rollo
Roy Conway	Leslie Larrimore	A. W. Ross
Herbert Cook	Robert E. Lee	Carl Scheben
Harry Davis	M. T. McCarthy	Ray O. Shehan
Sam Dever	T. B. McConnell	Dr. B. F. Shields
Stanley S. Dickson	J. L. McDermott	P. L. Sidebottom
George W. Dunlap	Lloyd MacDonald	H. C. Steely
Howard G. Early	W. F. McGary	Henry Stewart
Walter R. Fannin	Elmer McGlothen	Dr. H. S. Swope
Chas. P. Farnsley	C. S. Matherly	W. R. Tapp
T. P. Fitzpatrick	D. T. Matlack	J. J. Thomas
H. Myer Garner	Duke Mayfield	R. Van Bever, Jr.
James Garnett, Jr.	W. H. Miller	S. J. Wagner
G. W. Garrett	John B. Mollett	Henry Ward
Ferd A. Gnau	W. E. Mull	—80

There voted in the negative—

Charles Wylie —1

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

A message was received from the Senate announcing that they had passed bills which originated in this House entitled:

H. B. 116. An Act authorizing fiscal courts in counties having one or more cities of the second class to appropriate county funds for the aid and benefit of Dependent Children, etc.

H. B. 148. An Act to provide state aid for education in certain courses of study, etc.

Ordered that said bills be delivered to the Enrolling Clerk of this House.

Mr. Davis moved that the House do now recess until two o'clock P. M.

Said motion was agreed to.

And then the House recessed.

AFTERNOON SESSION

The hour of two o'clock P. M. having arrived, the Speaker resumed the Chair and called the House to order.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 148. An Act to amend, repeal and re-enact Chapter 162 of the Acts of the regular session of the General Assembly of Kentucky of 1934, relating to a road leading from the Hearne school house at junction of State Primary 103 in Owen County by Golds Valley school house and Nelse Kinman's store to a point on State Primary 102 between the residences of Walter Sebastian and Robert Scroggan, in Grant County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Chapter 162 of the Acts of the regular session of the General Assembly of Kentucky of 1934 be amended by striking therefrom the following language:

"There is hereby established as a part of the primary system of the State highways of the Commonwealth of Kentucky, a road beginning at the Hearne school house in Owen County, Kentucky, on State Primary 103, and running by Golds Valley school house, Nelse Kinman's store and connecting with State Primary 102 between the residences of Walter Sebastian and Robert Scroggan, in Grant County, Kentucky."

And by substituting therefor, the following language:

"There is hereby established as a part of the primary system of the State highways of the Commonwealth of Kentucky, a road beginning at the Hearne school house in Owen County, Kentucky, on State Primary 103, and running by Golds Valley school house, thence to Nelse Kinman's store, thence leaving the established road in a southeasternly direction through the farms of John Sebastian and Roy D. Wood to and connecting with the Wood and Taylor dirt road, thence with said dirt road to a point on State Primary 102 at a point between the residences of Jesse Sebastian and Bartley Ballard, in Grant County, Kentucky."

So that when done said section will read as follows, to wit:

"There is hereby established as a part of the primary system of State highways of the Commonwealth of Kentucky, a road beginning at the Hearne school house in Owen county, Kentucky, on State Primary 103 and running by Golds Valley school house, thence to Nelse Kinman's store, thence leaving the established road in a southeastehnly direction through the farms of John Sebastian and Roy D. Wood to and connecting with the Wood and Taylor dirt road, thence with said dirt road to a point on State Primary 102 at a point be-

tween the residences of Jesse Sebastian and Bartley Ballard, in Grant County, Kentucky.

"The construction, maintenance, supervision and control of said road shall be subject to and controlled by all the terms and conditions set out and provided for in Chapter 17 of the Acts of the General Assembly of 1920, establishing and creating a primary system of State Highways, the same as though said road had been named in said original Act as one of the projects of said primary system of highways."

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen	Sam Dever	Ira W. Hulette
Henry H. Allen	Stanley S. Dickson	John M. Hunnicut
C. W. Anderson, Jr.	George W. Dunlap	J. H. Jones
H. T. Baker	Howard G. Early	O. C. Jones
W. T. Baker	Garland Embry	J. F. Ladd
Reuben J. Boling	Walter R. Fannin	Leslie Larrimore
Ollie J. Bowen	T. P. Fitzpatrick	Robert E. Lee
Wallace Brown	H. Myer Garner	M. T. McCarthy
Jas. C. Carter	G. W. Garrett	T. B. McConnell
V. O. Chandler	Ferd A. Gnau	J. L. McDermott
Roscoe Claxon	Ben Grogan	Lloyd MacDonald
George S. Clay	Jas. T. Hamilton	W. F. McGary
J. A. Coleman	C. L. Hammons	Elmer McGlothen
Roy Conway	Thomas W. Hines	John Marshall
Herbert Cook	Price Holbrook	C. S. Matherly
Harry Davis	Clyde S. Howard	D. T. Matlack

Duke Mayfield	Harry C. Records	H. C. Steely	
W. H. Miller	L. K. Rice	Henry Stewart	
John B. Mollett	Wade H. Riley	Dr. H. S. Swope	
W. E. Mull	Joe E. Robinson	W. R. Tapp	
Tyler Munford	John C. Robinson	J. J. Thomas	
Rodes K. Myers	W. T. Rollo	R. Van Bever, Jr.	
J. C. Nickell	Carl Scheben	S. J. Wagner	
Russell O'Neill	Carl Schneider	Joseph L. Wall	
Mel Petry	Ray O. Shehan	Henry Ward	
A. W. Pfeiffer	Dr. B. F. Shields	Charles Wylie	
J. C. Ramey	P. L. Sidebottom		
Hobart Rayburn	Chester D. Silvers		—81

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 152. An Act establishing a part of the primary system of roads, a road leading from Quality, Butler County, Kentucky, via Forgy's mill to Highway No. 81, near Penrod, Muhlenberg County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is established as a part of the primary road system of the Commonwealth of Kentucky, a road beginning at Quality in Butler County, Kentucky, via Albert Gardner's farm, Frogy's mill and intersecting Highway No. 81, near Penrod in Muhlenberg County.

§ 2. The construction, maintenance, supervision and

control of said road shall be subject to all the terms and conditions set out and provided for in Chapter 17 of the Acts of the General Assembmly of 1920 establishing and creating a primary system of State highways.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen	T. P. Fitzpatrick	Elmer McGlothen
Henry H. Allen	H. Myer Garner	John Marshall
C. W. Anderson, Jr.	G. W. Garrett	C. S. Matherly
H. T. Baker	Ferd A. Gnau	D. T. Matlack
W. T. Baker	Ben Grogan	Duke Mayfield
Reuben J. Boling	Jas. T. Hamilton	W. H. Miller
Ollie J. Bowen	C. L. Hammons	John B. Mollett
Wallace Brown	Thomas W. Hines	W. E. Mull
Jas. C. Carter	Price Holbrook	Tyler Munford
V. O. Chandler	Clyde S. Howard	Rodes K. Myers
Roscoe Claxon	Ira W. Hulette	J. C. Nickell
George S. Clay	John M. Hunnicut	Russell O'Neill
J. A. Coleman	J. H. Jones	Mel Petry
Roy Conway	O. C. Jones	A. W. Pfeiffer
Herbert Cook	J. F. Ladd	J. C. Ramey
Harry Davis	Leslie Larrimore	Hobart Rayburn
Sam Dever	Robert E. Lee	Harry C. Records
Stanley S. Dickson	M. T. McCarthy	L. K. Rice
George W. Dunlap	T. B. McConnell	Wade H. Riley
Howard G. Early	J. L. McDermott	Joe E. Robinson
Garland Embry	Lloyd MacDonald	John C. Robinson
Walter R. Fannin	W. F. McGary	W. T. Rollo

Carl Scheben	Bruce Sloan	R. Van Bever, Jr.
Carl Schneider	H. C. Steely	S. J. Wagner
Ray O. Shehan	Henry Stewart	Joseph L. Wall
Dr. B. F. Shields	Dr. H. S. Swope	Henry Ward
P. L. Sidebottom	W. R. Tapp	Charles Wylie
Chester D. Silvers	J. J. Thomas	—83

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 161. An Act to establish State Primary Project No. ....., from Moransburg on State Project No. 10, via Tuckahoe Ridge to Dover in Mason County, approximately 8½ miles.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That State Primary Road Project No. ....., be established as follows:

Beginning at Moransburg on State Project No. 10, thence with the Tuckahoe-Dover turnpike to Dover, Mason County, approximately 8½ miles.

§ 2. Said project thus established as a part of the primary roads of this Commonweatlh shall be entitled to all the privileges, benefits and conditions now given by any Act or law to the primary roads of this Commonwealth.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen
Henry H. Allen
C. W. Anderson, Jr.
H. T. Baker
W. T. Baker
Reuben J. Boling
Ollie J. Bowen
Wallace Brown
Jas. C. Carter
V. O. Chandler
Roscoe Claxon
George S. Clay
J. A. Coleman
Roy Conway
Herbert Cook
Harry Davis
Sam Dever
Stanley S. Dickson
George W. Dunlap
Howard G. Early
Garland Embry
Walter R. Fannin
T. P. Fitzpatrick
H. Myer Garner
G. W. Garrett
Ferd A. Gnau
Ben Grogan
Jas. T. Hamilton
C. L. Hammons
Thomas W. Hines
Price Holbrook
Clyde S. Howard
Ira W. Hulette
John M. Hunnicut
J. H. Jones
O. C. Jones
J. F. Ladd
Leslie Larrimore
Robert E. Lee
M. T. McCarthy
T. B. McConnell
J. L. McDermott
Lloyd MacDonald
W. F. McGary
Elmer McGlothen
John Marshall
C. S. Matherly
D. T. Matlack
Duke Mayfield
W. H. Miller
John B. Mollett
W. E. Mull
Tyler Munford
Rodes K. Myers
J. C. Nickell
Russell O'Neill
Mel Petry
A. W. Pfeiffer
J. C. Ramey
Hobart Rayburn
Harry C. Records
L. K. Rice
Wade H. Riley
Joe E. Robinson
John C. Robinson
W. T. Rollo
Carl Scheben
Carl Schneider
Ray O. Shehan
Dr. B. F. Shields
P. L. Sidebottom
Chester D. Silvers
Bruce Sloan
H. C. Steely
Henry Stewart
Dr. H. S. Swope
W. R. Tapp
J. J. Thomas
R. Van Bever, Jr.
S. J. Wagner
Joseph L. Wall
Henry Ward
Charles Wylie

—83

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 162. An Act to establish as a part of the primary system of State highways a road starting at Clifford, Lawrence County, Kentucky, intersecting with the Louisa-Inez road up Tug River by way of the mouth of Calf Creek to Warfield, Martin County, intersecting with the State Highway No. 40, Paintsville and Kermit road.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of state highways of the Commonwealth of Kentucky a road leading from Clifford, Lawrence County, Kentucky, up Tug River by way of the mouth of Calf Creek to Warfield in Martin County.

§ 2. That the construction, maintenance, supervision and control of said road shall be subject to and controlled by the provision of Chapter 17 of the Acts of the General Assembly of 1920, and all other laws pertaining thereto, establishing and creating the primary system of state highways to the same effect as if said road had been named in the original act as one of the projects of the primary system of state highways as provided therein.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen
Henry H. Allen
C. W. Anderson, Jr.
H. T. Baker
W. T. Baker
Reuben J. Boling
Ollie J. Bowen
Wallace Brown
Jas. C. Carter
V. O. Chandler
Roscoe Claxon
George S. Clay
J. A. Coleman
Roy Conway
Herbert Cook
Harry Davis
Sam Dever
Stanley S. Dickson
George W. Dunlap
Howard G. Early
Garland Embry
Walter R. Fannin
T. P. Fitzpatrick
H. Myer Garner
G. W. Garrett
Ferd A. Gnau
Ben Grogan
Jas. T. Hamilton
C. L. Hammons
Thomas W. Hines
Price Holbrook
Clyde S. Howard
Ira W. Hulette
John M. Hunnicut
J. H. Jones
O. C. Jones
J. F. Ladd
Leslie Larrimore
Robert E. Lee
M. T. McCarthy
T. B. McConnell
J. L. McDermott
Lloyd MacDonald
W. F. McGary
Elmer McGlothen
John Marshall
C. S. Matherly
D. T. Matlack
Duke Mayfield
W. H. Miller
John B. Mollett
W. E. Mull
Tyler Munford
Rodes K. Myers
J. C. Nickell
Russell O'Neill
Mel Petry
A. W. Pfeiffer
J. C. Ramey
Hobart Rayburn
Harry C. Records
L. K. Rice
Wade H. Riley
Joe E. Robinson
John C. Robinson
W. T. Rollo
Carl Scheben
Carl Schneider
Ray O. Shehan
Dr. B. F. Shields
P. L. Sidebottom
Chester D. Silvers
Bruce Sloan
H. C. Steely
Henry Stewart
Dr. H. S. Swope
W. R. Tapp
J. J. Thomas
R. Van Bever, Jr.
S. J. Wagner
Joseph L. Wall
Henry Ward
Charles Wylie

—83

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 164. An Act creating and establishing as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at or near the west end of the Louisville and Nashville Railroad bridge in Frankfort, Franklin County, at Project No. 37 and running via the Benson road in Franklin County to Highway No. ....., at or near Bagdad in Shelby County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby created and established as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at Highway No. 37 at the west end of the old Louisville and Nashville Railroad bridge in Frankfort, Franklin County, Kentucky, and thence west of the Louisville and Nashville railroad through Benson Valley by Conway's mill; thence by Benson church; thence to the fork of the pike one-fourth of a mile south of Mt. Zion church; thence to Benson Creek one-half mile east of Hatton and thence to Bagdad in Shelby County to connect with Project No....., to be known and designated as Project No. .....

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of

said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen	C. L. Hammons	Mel Petry
Henry H. Allen	Thomas W. Hines	A. W. Pfeiffer
C. W. Anderson, Jr.	Price Holbrook	J. C. Ramey
H. T. Baker	Clyde S. Howard	Hobart Rayburn
W. T. Baker	Ira W. Hulette	Harry C. Records
Reuben J. Boling	John M. Hunnicut	L. K. Rice
Ollie J. Bowen	J. H. Jones	Wade H. Riley
Wallace Brown	O. C. Jones	Joe E. Robinson
Jas. C. Carter	J. F. Ladd	John C. Robinson
V. O. Chandler	Leslie Larrimore	W. T. Rollo
Roscoe Claxon	Robert E. Lee	Carl Scheben
George S. Clay	M. T. McCarthy	Carl Schneider
J. A. Coleman	T. B. McConnell	Ray O. Shehan
Roy Conway	J. L. McDermott	Dr. B. F. Shields
Herbert Cook	Lloyd MacDonald	P. L. Sidebottom
Harry Davis	W. F. McGary	Chester D. Silvers
Sam Dever	Elmer McGlothen	Bruce Sloan
Stanley S. Dickson	John Marshall	H. C. Steely
George W. Dunlap	C. S. Matherly	Henry Stewart
Howard G. Early	D. T. Matlack	Dr. H. S. Swope
Garland Embry	Duke Mayfield	W. R. Tapp
Walter R. Fannin	W. H. Miller	J. J. Thomas
T. P. Fitzpatrick	John B. Mollett	R. Van Bever, Jr.
H. Myer Garner	W. E. Mull	S. J. Wagner
G. W. Garrett	Tyler Munford	Joseph L. Wall
Ferd A. Gnau	Rodes K. Myers	Henry Ward
Ben Grogan	J. C. Nickell	Charles Wylie
Jas. T. Hamilton	Russell O'Neill	—83

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 167. An Act to establish as a part of the primary system of the highways of the Commonwealth of Kentucky a road beginning at Blanton bridge, a point on State Highway No. 15, running by way of Taulbee, Kentucky, and Bays, Kentucky, down Hunting Creek to the mouth at a point where the mouth of Hunting Creek intersects State highway between Salyersville, Kentucky, and Jackson, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is hereby established as a part of the primary system of the highways of the Commonwealth of Kentucky, a road beginning at the Blanton bridge, a point on State Highway No. 15, Breathitt County, Kentucky, running and extending up Frozen Creek by way of Taulbee, Kentucky, and Sky, Kentucky, to the dividing ridge between said Frozen Creek and Hunting Creek; thence down a drain leading into Hunting Creek near Bays, Kentucky; thence down Hunting Creek by way of Bays, Kentucky, to the mouth of Hunting Creek at a point where the mouth of Hunting Creek intersects the state highway leading from Salyersville, Kentucky, to Jackson, Kentucky.

The construction, maintenance, supervision and control of said road shall be subject to all of the terms and provisions set out and provided for in Chapter 17 of the Acts of the General Assembly 1920, as amended.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen
Henry H. Allen
C. W. Anderson, Jr.
H. T. Baker
W. T. Baker
Reuben J. Boling
Ollie J. Bowen
Wallace Brown
Jas. C. Carter
V. O. Chandler
Roscoe Claxon
George S. Clay
J. A. Coleman
Roy Conway
Herbert Cook
Harry Davis
Sam Dever
Stanley S. Dickson
George W. Dunlap
Howard G. Early
Garland Embry
Walter R. Fannin
T. P. Fitzpatrick
H. Myer Garner
G. W. Garrett
Ferd A. Gnau
Ben Grogan
Jas. T. Hamilton
C. L. Hammons
Thomas W. Hines
Price Holbrook
Clyde S. Howard
Ira W. Hulette
John M. Hunnicut
J. H. Jones
O. C. Jones
J. F. Ladd
Leslie Larrimore
Robert E. Lee
M. T. McCarthy
T. B. McConnell
J. L. McDermott
Lloyd MacDonald
W. F. McGary
Elmer McGlothen
John Marshall
C. S. Matherly
D. T. Matlack
Duke Mayfield
W. H. Miller
John B. Mollett
W. E. Mull
Tyler Munford
Rodes K. Myers
J. C. Nickell
Russell O'Neill
Mel Petry
A. W. Pfeiffer
J. C. Ramey
Hobart Rayburn
Harry C. Records
L. K. Rice
Wade H. Riley
Joe E. Robinson
John C. Robinson
W. T. Rollo
Carl Scheben
Carl Schneider
Ray O. Shehan
Dr. B. F. Shields
P. L. Sidebottom
Chester D. Silvers
H. C. Steely
Henry Stewart
Dr. H. S. Swope
W. R. Tapp
J. J. Thomas
R. Van Bever, Jr.
S. J. Wagner
Joseph L. Wall
Henry Ward
Charles Wylie

—82

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 168. An Act to establish as a part of the primary system of the highways of the Commonwealth of Kentucky a road beginning at the mouth of Quick Sand Creek, Breathitt County, Kentucky, and running up said Quick Sand Creek and South Fork of Quick Sand Creek to the head of said South Fork across to Main Quick Sand Creek at a point where Main Quick Sand Creek is intersected by the Primary Project established by the Act General Assembly 1934, Chapter 229.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is hereby established as a part of the primary system of the highways of the Commonwealth of Kentucky a road beginning at a point on said Highway No. 15 at the mouth of Main Quick Sand Creek running up the said Main Quick Sand Creek to the mouth of South Fork of Quick Sand Creek; thence running up with the meanders of the said South Fork of Quick Sand Creek to the head of said Creek; thence crossing the hill at the head of the said South Fork by way of Wilstacy, Kentucky, to Main Quick Sand Creek; thence up said creek to a point where the said primary project established by the Acts, General Assembly 1934, Chapter 229, intersects with Main Quick Sand Creek.

The construction, maintenance, supervision and control of said road shall be subject to all of the terms and provisions

set out and provided for in Chapter 17 in the Acts of the General Assembly 1920, as amended.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen	G. W. Garrett	Duke Mayfield
Henry H. Allen	Ferd A. Gnau	W. H. Miller
C. W. Anderson, Jr.	Ben Grogan	John B. Mollett
H. T. Baker	Jas. T. Hamilton	W. E. Mull
W. T. Baker	C. L. Hammons	Tyler Munford
Reuben J. Boling	Thomas W. Hines	Rodes K. Myers
Ollie J. Bowen	Price Holbrook	J. C. Nickell
Wallace Brown	Clyde S. Howard	Russell O'Neill
Jas. C. Carter	Ira W. Hulette	Mel Petry
V. O. Chandler	John M. Hunnicut	A. W. Pfeiffer
Roscoe Claxon	J. H. Jones	J. C. Ramey
George S. Clay	O. C. Jones	Hobart Rayburn
J. A. Coleman	J. F. Ladd	Harry C. Records
Roy Conway	Leslie Larrimore	L. K. Rice
Herbert Cook	Robert E. Lee	Wade H. Riley
Harry Davis	M. T. McCarthy	Joe E. Robinson
Sam Dever	T. B. McConnell	John C. Robinson
Stanley S. Dickson	J. L. McDermott	W. T. Rollo
George W. Dunlap	Lloyd MacDonald	Carl Scheben
Howard G. Early	W. F. McGary	Carl Schneider
Garland Embry	Elmer McGlothen	Ray O. Shehan
Walter R. Fannin	John Marshall	Dr. B. F. Shields
T. P. Fitzpatrick	C. S. Matherly	P. L. Sidebottom
H. Myer Garner	D. T. Matlack	Chester D. Silvers

H. C. Steely	J. J. Thomas	Henry Ward	
Henry Stewart	R. Van Bever, Jr.	Charles Wylie	
Dr. H. S. Swope	S. J. Wagner		
W. R. Tapp	Joseph L. Wall		—82

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 170. An Act to establish as a part of the primary system of the highways of the Commonwealth of Kentucky, a road to lead from a point on U. S. Highway No. 23 at or near the mouth of Georges Creek in Lawrence County to a point on State Highway No. 40 near Paintsville in Johnson County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the principal system of State highways of the Commonwealth of Kentucky a road to lead from a point on U. S. Highway No. 23 at or near the mouth of Georges Creek in Lawrence County via River Mingo and Thealka and intersect with State Highway No. 40 at or near Pointsville in Johnson County, Kentucky. The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions set out and provided for in Chapter 17 of the Acts of the General Assembly of 1920, establishing and creating the principal system of State highways.

§ 2. Said road shall be designated and known as Project No.....

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen
Henry H. Allen
C. W. Anderson, Jr.
H. T. Baker
W. T. Baker
Reuben J. Boling
Ollie J. Bowen
Wallace Brown
Jas. C. Carter
V. O. Chandler
Roscoe Claxon
George S. Clay
J. A. Coleman
Roy Conway
Herbert Cook
Harry Davis
Sam Dever
Stanley S. Dickson
George W. Dunlap
Howard G. Early
Garland Embry
Walter R. Fannin
T. P. Fitzpatrick
H. Myer Garner
G. W. Garrett
Ferd A. Gnau
Ben Grogan
Jas. T. Hamilton
C. L. Hammons
Thomas W. Hines
Price Holbrook
Clyde S. Howard
Ira W. Hulette
John M. Hunnicut
J. H. Jones
O. C. Jones
J. F. Ladd
Leslie Larrimore
Robert E. Lee
M. T. McCarthy
T. B. McConnell
J. L. McDermott
Lloyd MacDonald
W. F. McGary
Elmer McGlothen
John Marshall
C. S. Matherly
D. T. Matlack
Duke Mayfield
W. H. Miller
John B. Mollett
W. E. Mull
Tyler Munford
Rodes K. Myers
J. C. Nickell
Russell O'Neill
Mel Petry
A. W. Pfeiffer
J. C. Ramey
Hobart Rayburn
Harry C. Records
L. K. Rice
Wade H. Riley
Joe E. Robinson
John C. Robinson
W. T. Rollo
Carl Scheben
Carl Schneider
Ray O. Shehan
Dr. B. F. Shields
P. L. Sidebottom
Chester D. Silvers
H. C. Steely
Henry Stewart
Dr. H. S. Swope
W. R. Tapp
J. J. Thomas
R. Van Bever, Jr.
S. J. Wagner
Joseph L. Wall
Henry Ward
Charles Wylie

—82

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 175. An Act to add to the primary system of public roads, a road leading from Filicean, in Graves County, thence westerly following what is known as the "State Road" through Hickman County to the Junction of Highways Nos. 51 and 94 in Fulton County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is hereby established as a part of the primary system of the State Highways of Kentucky a road beginning at Filicean in Graves County; thence westerly, following what is known as the "State Road" through Hickman County, to the Junction of Highways Nos. 51 and 94 in Fulton County.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen Henry H. Allen C. W. Anderson, Jr.

H. T. Baker	Price Holbrook	A. W. Pfeiffer
W. T. Baker	Clyde S. Howard	J. C. Ramey
Reuben J. Boling	Ira W. Hulette	Hobart Rayburn
Ollie J. Bowen	John M. Hunnicut	Harry C. Records
Wallace Brown	J. H. Jones	L. K. Rice
Jas. C. Carter	O. C. Jones	Wade H. Riley
V. O. Chandler	J. F. Ladd	Joe E. Robinson
Roscoe Claxon	Leslie Larrimore	John C. Robinson
George S. Clay	Robert E. Lee	W. T. Rollo
J. A. Coleman	M. T. McCarthy	Carl Scheben
Roy Conway	T. B. McConnell	Carl Schneider
Herbert Cook	J. L. McDermott	Ray O. Shehan
Harry Davis	Lloyd MacDonald	Dr. B. F. Shields
Sam Dever	W. F. McGary	P. L. Sidebottom
Stanley S. Dickson	Elmer McGlothen	Chester D. Silvers
George W. Dunlap	John Marshall	H. C. Steely
Howard G. Early	C. S. Matherly	Henry Stewart
Garland Embry	D. T. Matlack	Dr. H. S. Swope
Walter R. Fannin	Duke Mayfield	W. R. Tapp
T. P. Fitzpatrick	W. H. Miller	J. J. Thomas
H. Myer Garner	John B. Mollett	R. Van Bever, Jr.
G. W. Garrett	W. E. Mull	S. J. Wagner
Ferd A. Gnau	Tyler Munford	Joseph L. Wall
Ben Grogan	Rodes K. Myers	Henry Ward
Jas. T. Hamilton	J. C. Nickell	Charles Wylie
C. L. Hammons	Russell O'Neill	
Thomas W. Hines	Mel Petry	—82

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 176. An Act to add to the primary system of public

roads in Graves County, and along the Graves-Hickman County line from Water Valley, thence in a northernly direction to intersect with Highway No. 58, near Sugar Grove church.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of the state highways of Kentucky a road beginning at Water Valley in Graves County, thence in a northernly direction to interset with Highway No. 58 at a point near Sugar Grove church.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen	J. A. Coleman	G. W. Garrett
Henry H. Allen	Roy Conway	Ferd A. Gnau
C. W. Anderson, Jr.	Herbert Cook	Ben Grogan
H. T. Baker	Harry Davis	Jas. T. Hamilton
W. T. Baker	Sam Dever	C. L. Hammons
Reuben J. Boling	Stanley S. Dickson	Thomas W. Hines
Ollie J. Bowen	George W. Dunlap	Price Holbrook
Wallace Brown	Howard G. Early	Clyde S. Howard
Jas. C. Carter	Garland Embry	Ira W. Hulette
V. O. Chandler	Walter R. Fannin	John M. Hunnicut
Roscoe Claxon	T. P. Fitzpatrick	J. H. Jones
George S. Clay	H. Myer Garner	O. C. Jones

J. F. Ladd	Tyler Munford	Ray O. Shehan
Leslie Larrimore	Rodes K. Myers	Dr. B. F. Shields
Robert E. Lee	J. C. Nickell	P. L. Sidebottom
M. T. McCarthy	Russell O'Neill	Chester D. Silvers
T. B. McConnell	Mel Petry	H. C. Steely
J. L. McDermott	A. W. Pfeiffer	Henry Stewart
Lloyd MacDonald	J. C. Ramey	Dr. H. S. Swope
W. F. McGary	Hobart Rayburn	W. R. Tapp
Elmer McGlothen	Harry C. Records	J. J. Thomas
John Marshall	L. K. Rice	R. Van Bever, Jr.
C. S. Matherly	Wade H. Riley	S. J. Wagner
D. T. Matlack	Joe E. Robinson	Joseph L. Wall
Duke Mayfield	John C. Robinson	Henry Ward
W. H. Miller	W. T. Rollo	Charles Wylie
John B. Mollett	Carl Scheben	
W. E. Mull	Carl Schneider	—82

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 177. An Act to establish as a part of the primary system of the highways of the Commonwealth of Kentucky, a road beginning at a point in Federal Highway No. 60, at Rose Bud church, in Cirttenden County, and running in a southernly direction to a point in the Marion and Shady Grove road, near Olivebranch school house, in Crittenden County, a distance of approximately seven miles.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby added and established as a part of the Primary Road System of the highways of the Commonwealth of Kentucky, a road beginning at Rose Bud church, on Federal Highway No. 60, in Crittenden County, and running in a southernly direction by Hoods Creek schoolhouse, and Nunn, I. C. Railroad station, McKinley cemetery, Crowell cemetery, Duncan cemetery, Prospect school, Cave Spring church, Kilpatrick cemetery, and Olivebranch schoolhouse, to the Marion and Shady Grove highway, a distance of approximately seven miles.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to all the laws of the State of Kentucky, appertaining to the state highways.

§ 3. The highway commission is hereby directed to assign to the above road an appropriate project number.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen	Roscoe Claxon	Garland Embry
Henry H. Allen	George S. Clay	Walter R. Fannin
C. W. Anderson, Jr.	J. A. Coleman	T. P. Fitzpatrick
H. T. Baker	Roy Conway	H. Myer Garner
W. T. Baker	Herbert Cook	G. W. Garrett
Reuben J. Boling	Harry Davis	Ferd A. Gnau
Ollie J. Bowen	Sam Dever	Ben Grogan
Wallace Brown	Stanley S. Dickson	Jas. T. Hamilton
Jas. C. Carter	George W. Dunlap	C. L. Hammons
V. O. Chandler	Howard G. Early	Thomas W. Hines

Price Holbrook	D. T. Matlack	John C. Robinson
Clyde S. Howard	Duke Mayfield	W. T. Rollo
Ira W. Hulette	W. H. Miller	Carl Scheben
John M. Hunnicut	John B. Mollett	Carl Schneider
J. H. Jones	W. E. Mull	Ray O. Shehan
O. C. Jones	Tyler Munford	Dr. B. F. Shields
J. F. Ladd	Rodes K. Myers	P. L. Sidebottom
Leslie Larrimore	J. C. Nickell	Chester D. Silvers
Robert E. Lee	Russell O'Neill	H. C. Steely
M. T. McCarthy	Mel Petry	Henry Stewart
T. B. McConnell	A. W. Pfeiffer	Dr. H. S. Swope
J. L. McDermott	J. C. Ramey	J. J. Thomas
Lloyd MacDonald	Hobart Rayburn	R. Van Bever, Jr.
W. F. McGary	Harry C. Records	S. J. Wagner
Elmer McGlothen	L. K. Rice	Joseph L. Wall
John Marshall	Wade H. Riley	Henry Ward
C. S. Matherly	Joe E. Robinson	Charles Wylie

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Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 178. An Act establishing as part of the primary system of state highways of the Commonwealth of Kentucky, a road leading from the east end of Main Street, at the intersection of Highway No. 52 in Ravenna, Estill County, Kentucky, and via Millers Creek station, and to Pryse, in Estill County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Common wealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of state highways of the Commonwealth of Kentucky, a road leading from the east end of Main Street, at the intersection of Highway No. 52, in Ravenna, Estill County, and via Millers Creek station, and to Pryse, in Estill County.

§ 2. That the construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920, and all other laws pertaining thereto, establishing and creating the primary system of State highways, to the same effect as if said road had been named in the original act as one of the projects of the primary system of State highways as provided therein.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen	Roscoe Claxon	Walter R. Fannin
Henry H. Allen	George S. Clay	H. Myer Garner
C. W. Anderson, Jr.	J. A. Coleman	G. W. Garrett
H. T. Baker	Roy Conway	Ferd A. Gnau
W. T. Baker	Herbert Cook	Jas. T. Hamilton
Reuben J. Boling	Harry Davis	C. L. Hammons
Ollie J. Bowen	Sam Dever	Thomas W. Hines
Wallace Brown	Stanley S. Dickson	Price Holbrook
Dr. R. A. Byers	George W. Dunlap	Clyde S. Howard
Jas. C. Carter	Howard G. Early	Ira W. Hulette
V. O. Chandler	Garland Embry	John M. Hunnicut

Ben W. Johnson	Duke Mayfield	W. T. Rollo
J. H. Jones	W. H. Miller	Carl Scheben
O. C. Jones	John B. Mollett	Carl Schneider
R. T. Kirkman	W. E. Mull	Ray O. Shehan
J. F. Ladd	Tyler Munford	Dr. B. F. Shields
Leslie Larrimore	Rodes K. Myers	P. L. Sidebottom
Robert E. Lee	Russell O'Neill	Chester D. Silvers
M. T. McCarthy	Mel Petry	H. C. Steely
T. B. McConnell	A. W. Pfeiffer	Henry Stewart
J. L. McDermott	J. C. Ramey	Dr. H. S. Swope
Lloyd MacDonald	Hobart Rayburn	J. J. Thomas
W. F. McGary	Harry C. Records	R. Van Bever, Jr.
Elmer McGlothen	L. K. Rice	S. J. Wagner
John Marshall	Wade H. Riley	Joseph L. Wall
C. S. Matherly	Joe E. Robinson	Henry Ward
D. T. Matlack	John C. Robinson	L. R. Wells

—81

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 180. An Act to establish as a part of the primary system of the highways of the Commonwealth of Kentucky a road beginning at the mouth of Caney Creek, Breathitt County, at a point on the State highway between Salyersville, Kentucky, and Jackson, Kentucky, extending and running up Main Quick Sand Creek to Spring Fork to a point on the primary system created by an Act of the Kentucky General Assembly 1934, Chapter 229.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§1. That there is hereby established as a part of the primary system of the Commonwealth of Kentucky a road beginning at the mouth of Caney Creek, a tributary of Main Quick Sand Creek, at a point on the highway between Salyersville, Kentucky, and Jackson, Kentucky, running up the said Main Quick Sand Creek, by way of Luna, Kentucky, to the mouth of Spring Fork; thence running up Spring Fork to a point where said Spring Creek intersects the primary project established by an Act of the General Assembly 1934, Chapter 229.

The construction, maintenance, supervision and control of said road shall be subject to all of the terms and provisions set out and provided for in Chapter 17 in the Acts of the General Assembly 1930, as amended.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen	Dr. R. A. Byers	Harry Davis
Henry H. Allen	Jas. C. Carter	Sam Dever
C. W. Anderson, Jr.	V. O. Chandler	Stanley S. Dickson
H. T. Baker	Roscoe Claxon	George W. Dunlap
W. T. Baker	George S. Clay	Howard G. Early
Reuben J. Boling	J. A. Coleman	Garland Embry
Ollie J. Bowen	Roy Conway	Walter R. Fannin
Wallace Brown	Herbert Cook	H. Myer Garner

G. W. Garrett	Lloyd MacDonald	Wade H. Riley
Ferd A. Gnau	W. F. McGary	Joe E. Robinson
James T. Hamilton	Elmer McGlothen	John C. Robinson
C. L. Hammons	John Marshall	W. T. Rollo
Thomas W. Hines	C. S. Matherly	Carl Scheben
Price Holbrook	D. T. Matlack	Carl Schneider
Clyde S. Howard	Duke Mayfield	Ray O. Shehan
Ira W. Hulette	W. H. Miller	Dr. B. F. Shields
John M. Hunnicut	John B. Mollett	P. L. Sidebottom
Ben W. Johnson	W. E. Mull	Chester D. Silvers
J. H. Jones	Tyler Munford	H. C. Steely
O. C. Jones	Rodes K. Myers	Henry Stewart
R. T. Kirkman	Russell O'Neill	Dr. H. S. Swope
J. F. Ladd	Mel Petry	J. J. Thomas
Leslie Larrimore	A. W. Pfeiffer	R. Van Bever, Jr.
Robert E. Lee	J. C. Ramey	S. J. Wagner
M. T. McCarthy	Hobart Rayburn	Joseph L. Wall
T. B. McConnell	Harry C. Records	Henry Ward
J. L. McDermott	L. K. Rice	L. R. Wells

—82

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 183. An Act establishing as part of the primary system of State highways, a road in Christian County, Kentucky, beginning at a point on the Butler road in said county about two miles northwest of Hopkinsville, Kentucky, and running thence with the general direction of the Pilot Rock road in said county to Allegree in Todd County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is hereby established as a part of the primary system of State highways of the Commonwealth of Kentucky, a road in Christian County, Kentucky, beginning at a point on the Butler road in said county about two miles northeast of Hopkinsville, Kentucky, and running thence with the general direction of the Pilot Rock road in said county to Allegree in Todd County, Kentucky.

That the construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920 and all other laws pertaining thereto establishing and creating the primary system of State highways to the same effect as if said road had been named in the original act as one of the projects of the primary system of State highways as provided therein.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen	Wallace Brown	Herbert Cook
Henry H. Allen	Jas. C. Carter	Harry Davis
C. W. Anderson, Jr.	V. O. Chandler	Sam Dever
H. T. Baker	Roscoe Claxon	Stanley S. Dickson
W. T. Baker	George S. Clay	George W. Dunlap
Reuben J. Boling	J. A. Coleman	Howard G. Early
Ollie J. Bowen	Roy Conway	Garland Embry

Walter R. Fannin	Lloyd MacDonald	Wade H. Riley
T. P. Fitzpatrick	W. F. McGary	Joe E. Robinson
H. Myer Garner	Elmer McGlothen	John C. Robinson
G. W. Garrett	John Marshall	W. T. Rollo
Ferd A. Gnau	C. S. Matherly	Carl Scheben
Ben Grogan	D. T. Matlack	Carl Schneider
James T. Hamilton	Duke Mayfield	Ray O. Shehan
Thomas W. Hines	W. H. Miller	Dr. B. F. Shields
Price Holbrook	John B. Mollett	P. L. Sidebottom
Clyde S. Howard	W. E. Mull	Chester D. Silvers
Ira W. Hulette	Tyler Munford	H. C. Steely
John M. Hunnicut	Rodes K. Myers	Henry Stewart
J. H. Jones	J. C. Nickell	Dr. H. S. Swope
O. C. Jones	Russell O'Neill	J. J. Thomas
J. F. Ladd	Mel Petry	R. Van Bever, Jr.
Leslie Larrimore	A. W. Pfeiffer	S. J. Wagner
Robert E. Lee	J. C. Ramey	Joseph L. Wall
M. T. McCarthy	Hobart Rayburn	Henry Ward
T. B. McConnell	Harry C. Records	L. R. Wells
J. L. McDermott	L. K. Rice	—80

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 185. An Act to establish as part of the primary system of State highways, a road leading from a point near Beverly Walsh's residence in Morgan County on the West Liberty and Paintsville survey; thence running in a westerly course down the valley of Elk Fork Creek in Morgan County and intersecting the West Liberty–Morehead Road No. ..... in Morgan County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established as part of the primary system of the State highways of the Commonwealth of Kentucky, a road leading from a point near Beverly Walsh's residence in Morgan County on the West Liberty and Paintsville survey; thence running in a westerly course down the valley of Elk Fork Creek in Morgan County and intersecting the West Liberty–Morehead Road No. ..... in Morgan County.

§ 2. The construction and maintenance, supervision and control of said road shall be subject to and controlled by provisions of Chapter 17 of the Acts of the General Assembly of 1920 and all laws pertaining thereto, establishing and creating a primary system of State highways to the same effect as if said road had been named in the original Act as one of the projects of the primary system of State highways, as provided therein.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen	Ollie J. Bowen	J. A. Coleman
Henry H. Allen	Wallace Brown	Roy Conway
C. W. Anderson, Jr.	Jas. C. Carter	Herbert Cook
H. T. Baker	V. O. Chandler	Harry Davis
W. T. Baker	Roscoe Claxon	Sam Dever
Reuben J. Boling	George S. Clay	Stanley S. Dickson

George W. Dunlap	T. B. McConnell	L. K. Rice
Howard G. Early	J. L. McDermott	Wade H. Riley
Garland Embry	Lloyd MacDonald	Joe E. Robinson
Walter R. Fannin	W. F. McGary	John C. Robinson
T. P. Fitzpatrick	Elmer McGlothen	W. T. Rollo
H. Myer Garner	John Marshall	Carl Scheben
G. W. Garrett	C. S. Matherly	Carl Schneider
Ferd A. Gnau	D. T. Matlack	Ray O. Shehan
Ben Grogan	Duke Mayfield	Dr. B. F. Shields
James T. Hamilton	W. H. Miller	P. L. Sidebottom
Thomas W. Hines	John B. Mollett	Chester D. Silvers
Price Holbrook	W. E. Mull	H. C. Steely
Clyde S. Howard	Tyler Munford	Henry Stewart
Ira W. Hulette	Rodes K. Myers	Dr. H. S. Swope
John M. Hunnicut	J. C. Nickell	J. J. Thomas
J. H. Jones	Russell O'Neill	R. Van Bever, Jr.
O. C. Jones	Mel Petry	S. J. Wagner
J. F. Ladd	A. W. Pfeiffer	Joseph L. Wall
Leslie Larrimore	J. C. Ramey	Henry Ward
Robert E. Lee	Hobart Rayburn	Charles Wylie
M. T. McCarthy	Harry C. Records	—80

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 187. An Act to establish as part of the primary system of State highways, a road leading from Bonny Oldfield's residence in Morgan County, at a point on Garrett Highway No. 40; thence running in a southernly course up Murphy's Fork Creek in Morgan County, via Murphy's Fork

post office to Hazelgreen in Wolfe County and intersecting with the Hazelgreen–Cannel City State Highway No. .....

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as part of the primary system of the State highways of the Commonwealth of Kentucky, a road leading from Bonny Oldfield's residence in Morgan County, at a point on Garrett Highway No. 40; thence running in a southernly course up Murphy Fork Creek in Morgan County via Murphy Fork post office to Hazelgreen in Wolfe County and intersecting with Hazelgreen–Cannel City Highway No. .....

§2. The construction and maintenance, supervision and control of the said road shall be subject to and controlled by provisions of Chapter 17 of the Acts of the General Assembly of 1920 and all laws pertaining thereto, establishing and creating a primary system of State highways to the same effect as if said road had been named in the original Act as one of the projects of the primary system of State highways, as provided therein.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen	C. W. Anderson, Jr.	W. T. Baker
Henry H. Allen	H. T. Baker	Reuben J. Boling

Ollie J. Bowen	Ira W. Hulette	A. W. Pfeiffer
Wallace Brown	John M. Hunnicut	J. C. Ramey
Jas. C. Carter	J. H. Jones	Hobart Rayburn
V. O. Chandler	O. C. Jones	Harry C. Records
Roscoe Claxon	J. F. Ladd	L. K. Rice
George S. Clay	Leslie Larrimore	Wade H. Riley
J. A. Coleman	Robert E. Lee	Joe E. Robinson
Roy Conway	M. T. McCarthy	John C. Robinson
Herbert Cook	T. B. McConnell	W. T. Rollo
Harry Davis	J. L. McDermott	Carl Scheben
Sam Dever	Lloyd MacDonald	Carl Schneider
Stanley S. Dickson	W. F. McGary	Ray O. Shehan
George W. Dunlap	Elmer McGlothen	Dr. B. F. Shields
Howard G. Early	John Marshall	P. L. Sidebottom
Garland Embry	C. S. Matherly	Chester D. Silvers
Walter R. Fannin	D. T. Matlack	H. C. Steely
T. P. Fitzpatrick	Duke Mayfield	Henry Stewart
H. Myer Garner	W. H. Miller	Dr. H. S. Swope
G. W. Garrett	John B. Mollett	J. J. Thomas
Ferd A. Gnau	W. E. Mull	R. Van Bever, Jr.
Ben Grogan	Tyler Munford	S. J. Wagner
James T. Hamilton	Rodes K. Myers	Joseph L. Wall
Thomas W. Hines	J. C. Nickell	Henry Ward
Price Holbrook	Russell O'Neill	Charles Wylie
Clyde S. Howard	Mel Petry	—80

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 188. An Act to establish as part of the primary system of State highways, a road leading from a point at or

near J. C. Stamper's store in Morgan County at a point on Garrett Highway No. 40 and running in a southernly course up Grassy Creek to or near Buskirk post office in Morgan County; thence to Sellars post office in Morgan County; thence crossing the divide between Red River and Grassy Creek and entering Wolfe County intersecting with Hazel Green and Cannel City Highway No. ..... at or near Grant Rose's residence in Wolfe County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as part of the primary system of State highways of the Commonwealth of Kentucky, a road leading from a point at or near J. C. Stamper's store in Morgan County at a point on Garrett Highway No. 40 and running in a southernly course up Grassy Creek to or near Buskirk post office in Morgan County; thence to Sellars post office in Morgan County; thence crossing the divide between the Red River and Grassy Creek and entering Wolfe County intersecting with Hazel Green and Cannel City Highway No. ..... at or near Grant Rose's residence in Wolfe County.

§ 2. That the construction and maintenance, supervision and control of said road shall be subject to and controlled by provisions of Chapter 17 of the Acts of the General Assembly of 1920 and all laws pertaining thereto, establishing and creating a primary system of State highways to the same effect as if said road had been named in the original Act as one of the projects of the primary system of State highways, as provided therein.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of

said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen	C. L. Hammons	Mel Petry
Henry H. Allen	Thomas W. Hines	A. W. Pfeiffer
C. W. Anderson, Jr.	Price Holbrook	J. C. Ramey
H. T. Baker	Clyde S. Howard	Hobart Rayburn
W. T. Baker	Ira W. Hulette	Harry C. Records
Reuben J. Boling	John M. Hunnicut	L. K. Rice
Ollie J. Bowen	J. H. Jones	Wade H. Riley
Wallace Brown	O. C. Jones	Joe E. Robinson
Jas. C. Carter	J. F. Ladd	John C. Robinson
V. O. Chandler	Leslie Larrimore	W. T. Rollo
Roscoe Claxon	Robert E. Lee	Carl Scheben
George S. Clay	M. T. McCarthy	Carl Schneider
J. A. Coleman	T. B. McConnell	Ray O. Shehan
Roy Conway	J. L. McDermott	Dr. B. F. Shields
Herbert Cook	Lloyd MacDonald	P. L. Sidebottom
Harry Davis	W. F. McGary	Chester D. Silvers
Sam Dever	Elmer McGlothen	H. C. Steely
Stanley S. Dickson	John Marshall	Henry Stewart
George W. Dunlap	C. S. Matherly	Dr. H. S. Swope
Howard G. Early	D. T. Matlack	W. R. Tapp
Garland Embry	Duke Mayfield	J. J. Thomas
Walter R. Fannin	W. H. Miller	R. Van Bever, Jr.
T. P. Fitzpatrick	John B. Mollett	S. J. Wagner
H. Myer Garner	W. E. Mull	Joseph L. Wall
G. W. Garrett	Tyler Munford	Henry Ward
Ferd A. Gnau	Rodes K. Myers	Charles Wylie
Ben Grogan	J. C. Nickell	
Jas. T. Hamilton	Russell O'Neill	—82

Resolved that the title thereof be as aforesaid,

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 190. An Act to establish as part of the primary system of State highways, a road leading from a point at or near the Lenox post office in Morgan County, Kentucky, at a point in Morgan County, Kentucky, at a point on the West Liberty–Paintsville Highway survey; thence in a northernly course to Redwine in Morgan County, Kentucky; thence running on or near the old railroad bed to Wrigley post office in Morgan County; thence continuing on or near the old railroad bed to Paragan post office in Rowan County and on beyond the said Paragan post office in Rowan County to a point intersecting with C. C. C. road now being constructed in said Rowan County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as part of the primary system of the State highways of the Commonwealth of Kentucky, a road leading from a point at or near the Lenox post office, Morgan County, Kentucky, at a point on the West Liberty–Paintsville Highway survey; thence in a northernly course to Redwine in Morgan County; thence running on or near the old railroad bed to Wrigley post office in Morgan County; thence continuing on or near the old railroad bed to Paragan post office in Rowan County and on beyond the said Paragan post office in Rowan County, to a point intersecting with C. C. C. road now being constructed in said Rowan County.

§ 2. The construction and maintenance, supervision and control of said road shall be subject to and controlled by provisions of Chapter 17 of the Acts of the General Assembly of 1920 and all laws pertaining thereto, establishing and creating a primary system of State highways to the same effect as if said road had been named in the original Act as one of the projects of the primary system of State highways, as provided therein.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen	Stanley S. Dickson	J. H. Jones
Henry H. Allen	George W. Dunlap	O. C. Jones
C. W. Anderson, Jr.	Howard G. Early	J. F. Ladd
H. T. Baker	Garland Embry	Leslie Larrimore
W. T. Baker	Walter R. Fannin	Robert E. Lee
Reuben J. Boling	T. P. Fitzpatrick	M. T. McCarthy
Ollie J. Bowen	H. Myer Garner	T. B. McConnell
Wallace Brown	G. W. Garrett	J. L. McDermott
Jas. C. Carter	Ferd A. Gnau	Lloyd MacDonald
V. O. Chandler	Ben Grogan	W. F. McGary
Roscoe Claxon	Jas. T. Hamilton	Elmer McGlothen
George S. Clay	C. L. Hammons	John Marshall
J. A. Coleman	Thomas W. Hines	C. S. Matherly
Roy Conway	Price Holbrook	D. T. Matlack
Herbert Cook	Clyde S. Howard	Duke Mayfield
Harry Davis	Ira W. Hulette	W. H. Miller
Sam Dever	John M. Hunnicut	John B. Mollett

W. E. Mull	Wade H. Riley	Henry Stewart
Tyler Munford	Joe E. Robinson	Dr. H. S. Swope
Rodes K. Myers	John C. Robinson	W. R. Tapp
J. C. Nickell	W. T. Rollo	J. J. Thomas
Russell O'Neill	Carl Scheben	R. Van Bever, Jr.
Mel Petry	Carl Schneider	S. J. Wagner
A. W. Pfeiffer	Ray O. Shehan	Joseph L. Wall
J. C. Ramey	Dr. B. F. Shields	Henry Ward
Hobart Rayburn	P. L. Sidebottom	Charles Wylie
Harry C. Records	Chester D. Silvers	
L. K. Rice	H. C. Steely	—82

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 204. An Act establishing as a part of the primary system of State highways a road intersecting the public highway near the city of Livermore, at one end and running towards Calhoun in a western and northern direction intersecting the highway at the other end at or near the crossroads of the old Ford farm, a distance of about five and one-half miles, in McLean County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as part of the primary system of State highways of the Commonwealth of Kentucky a road leading from Livermore, starting in the Highway 75 in said city and running westwardly and north to the old

Ford farm, intersecting with Highways 56 and 136, a distance of about five and one-half miles.

§ 2. That the construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920, and all other laws pertaining thereon, establishing and creating the primary system of state highways, to the same effect as if said road had been named in the original act as one of the projects of the primary system of state highways as provided therein.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen	Herbert Cook	Clyde S. Howard
Henry H. Allen	Harry Davis	Ira W. Hulette
C. W. Anderson, Jr.	Sam Dever	John M. Hunnicut
H. T. Baker	Stanley S. Dickson	Ben W. Johnson
W. T. Baker	George W. Dunlap	J. H. Jones
Reuben J. Boling	Howard G. Early	O. C. Jones
Ollie J. Bowen	Garland Embry	R. T. Kirkman
Wallace Brown	Walter R. Fannin	J. F. Ladd
Dr. R. A. Byers	H. Myer Garner	Leslie Larrimore
Jas. C. Carter	G. W. Garrett	Robert E. Lee
V. O. Chandler	Ferd A. Gnau	M. T. McCarthy
Roscoe Claxon	Jas. T. Hamilton	T. B. McConnell
George S. Clay	C. L. Hammons	J. L. McDermott
J. A. Coleman	Thomas W. Hines	Lloyd MacDonald
Roy Conway	Price Holbrook	W. F. McGary

Elmer McGlothen	A. W. Pfeiffer	Dr. B. F. Shields
John Marshall	J. C. Ramey	P. L. Sidebottom
C. S. Matherly	Hobart Rayburn	Chester D. Silvers
D. T. Matlack	Harry C. Records	H. C. Steely
Duke Mayfield	L. K. Rice	Henry Stewart
W. H. Miller	Wade H. Riley	Dr. H. S. Swope
John B. Mollett	Joe E. Robinson	J. J. Thomas
W. E. Mull	John C. Robinson	R. Van Bever, Jr.
Tyler Munford	W. T. Rollo	S. J. Wagner
Rodes K. Myers	Carl Scheben	Joseph L. Wall
Russell O'Neill	Carl Schneider	Henry Ward
Mel Petry	Ray O. Shehan	L. R. Wells

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Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 205. An Act to establish as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at Tunnel Hill on U. S. 41, then in an easterly direction to the Pruitt and Agnew road; thence in a northerly direction following the Pruit and Agnew road to the Frog Island road; thence in a northerly direction following the Frog Island road to a point intersecting Highway No. 41.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the principal system of state highways of the Commonwealth of Kentucky a road beginning at Tunnell Hill on U. S. 41, thence

in an easterly direction to the Pruitt and Agnew road; thence in a northerly direction following the Pruitt and Agnew road to the Frog Island road; thence in a northerly direction following the Frog Island road to a point intersecting old highway No. 41; the construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions set out and provided for in Chapter 17 of the Acts of the General Assembly of 1920, establishing and creating the principal system of state highways.

§ 2. Said road shall be designated and known as Project No. .....

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen	Herbert Cook	C. L. Hammons
Henry H. Allen	Harry Davis	Thomas W. Hines
C. W. Anderson, Jr.	Sam Dever	Price Holbrook
H. T. Baker	Stanley S. Dickson	Clyde S. Howard
W. T. Baker	George W. Dunlap	Ira W. Hulette
Reuben J. Boling	Howard G. Early	John M. Hunnicut
Ollie J. Bowen	Garland Embry	J. H. Jones
Wallace Brown	Walter R. Fannin	O. C. Jones
Jas. C. Carter	T. P. Fitzpatrick	J. F. Ladd
V. O. Chandler	H. Myer Garner	Leslie Larrimore
Roscoe Claxon	G. W. Garrett	Robert E. Lee
George S. Clay	Ferd A. Gnau	M. T. McCarthy
J. A. Coleman	Ben Grogan	T. B. McConnell
Roy Conway	Jas. T. Hamilton	J. L. McDermott

Lloyd MacDonald	Mel Petry	P. L. Sidebottom
W. F. McGary	A. W. Pfeiffer	Chester D. Silvers
Elmer McGlothen	J. C. Ramey	H. C. Steely
John Marshall	Hobart Rayburn	Henry Stewart
C. S. Matherly	Harry C. Records	Dr. H. S. Swope
D. T. Matlack	L. K. Rice	W. R. Tapp
Duke Mayfield	Wade H. Riley	J. J. Thomas
W. H. Miller	Joe E. Robinson	R. Van Bever, Jr.
John B. Mollett	John C. Robinson	S. J. Wagner
W. E. Mull	W. T. Rollo	Joseph L. Wall
Tyler Munford	Carl Scheben	Henry Ward
Rodes K. Myers	Carl Schneider	Charles Wylie
J. C. Nickell	Ray O. Shehan	
Russell O'Neill	Dr. B. F. Shields	—82

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 206. An Act to establish as a part of the primary system of highways of the Cmmoonwealth of Kentucky a road to lead from a point on State Highway No. 54 at or near the Graham Hill Coal Company about three miles east of Henderson and following the Holloway road a distance of approximately five miles to U. S. 60 near the Baskett Station road.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the principal system of state highways of the Commonwealth of Kentucky a road to lead from a point on State Highway No.

54, at or near the Graham Hill Coal Company, about three miles east of the City of Henderson, and following the Holloway road a distance of approximately five miles to U. S. Highway No. 60 near the Baskett Station road; the construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions set out and provided for in Chapter 17 of the Acts of the General Assembly of 1920, establishing and creating the principal system of state highways.

§ 2. Said road shall be designated and known as Project No. .....

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen	Herbert Cook	C. L. Hammons
Henry H. Allen	Harry Davis	Thomas W. Hines
C. W. Anderson, Jr.	Sam Dever	Price Holbrook
H. T. Baker	Stanley S. Dickson	Clyde S. Howard
W. T. Baker	George W. Dunlap	Ira W. Hulette
Reuben J. Boling	Howard G. Early	John M. Hunnicut
Ollie J. Bowen	Garland Embry	J. H. Jones
Wallace Brown	Walter R. Fannin	O. C. Jones
Jas. C. Carter	T. P. Fitzpatrick	J. F. Ladd
V. O. Chandler	H. Myer Garner	Leslie Larrimore
Roscoe Claxon	G. W. Garrett	Robert E. Lee
George S. Clay	Ferd A. Gnau	M. T. McCarthy
J. A. Coleman	Ben Grogan	T. B. McConnell
Roy Conway	Jas. T. Hamilton	J. L. McDermott

Lloyd MacDonald	Mel Petry	P. L. Sidebottom
W. F. McGary	A. W. Pfeiffer	Chester D. Silvers
Elmer McGlothen	J. C. Ramey	H. C. Steely
John Marshall	Hobart Rayburn	Henry Stewart
C. S. Matherly	Harry C. Records	Dr. H. S. Swope
D. T. Matlack	L. K. Rice	W. R. Tapp
Duke Mayfield	Wade H. Riley	J. J. Thomas
W. H. Miller	Joe E. Robinson	R. Van Bever, Jr.
John B. Mollett	John C. Robinson	S. J. Wagner
W. E. Mull	W. T. Rollo	Joseph L. Wall
Tyler Munford	Carl Scheben	Henry Ward
Rodes K. Myers	Carl Schneider	Charles Wylie
J. C. Nickell	Ray O. Shehan	
Russell O'Neill	Dr. B. F. Shields	—82

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 231. An Act relating to roads and highways and describing and fixing a project to be added to the State primary system of roads and highways.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established as part of the primary system of roads and highways in this Commonwealth as defined in Chapter 17 of the Acts of the General Assembly of 1920, as amended by the Acts of 1924 and 1926, the following project, to wit:

From Twila, Kentucky, on Wallins Creek, Harlan County, by way of Trace Gap and head of Catrons Creek to the main Black Mountain, and down south side of Black Mountain, crossing Martins Fork, to the Macklin Gap on the Virginia line, to join a road to be built from Rose Hill, Virginia, to the Macklin Gap.

§ 2. The route as thus established shall be designated as Project No. ..... and shall be entitled to and receive all the benefits of such laws as are now or may hereafter be in effect with relation to the primary system of state highways.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen	Harry Davis	Price Holbrook
Henry H. Allen	Sam Dever	Clyde S. Howard
C. W. Anderson, Jr.	Stanley S. Dickson	Ira W. Hulette
H. T. Baker	George W. Dunlap	John M. Hunnicut
W. T. Baker	Howard G. Early	J. H. Jones
Reuben J. Boling	Garland Embry	O. C. Jones
Ollie J. Bowen	Walter R. Fannin	J. F. Ladd
Wallace Brown	T. P. Fitzpatrick	Leslie Larrimore
Jas. C. Carter	H. Myer Garner	Robert E. Lee
V. O. Chandler	G. W. Garrett	M. T. McCarthy
Roscoe Claxon	Ferd A. Gnau	T. B. McConnell
George S. Clay	Ben Grogan	J. L. McDermott
J. A. Coleman	Jas. T. Hamilton	Lloyd MacDonald
Roy Conway	C. L. Hammons	W. F. McGary
Herbert Cook	Thomas W. Hines	Elmer McGlothen

John Marshall
C. S. Matherly
D. T. Matlack
Duke Mayfield
W. H. Miller
John B. Mollett
W. E. Mull
Tyler Munford
Rodes K. Myers
J. C. Nickell
Russell O'Neill
Mel Petry
A. W. Pfeiffer
J. C. Ramey
Hobart Rayburn
Harry C. Records
L. K. Rice
Wade H. Riley
Joe E. Robinson
John C. Robinson
W. T. Rollo
Carl Scheben
Carl Schneider
Ray O. Shehan
Dr. B. F. Shields
P. L. Sidebottom
Chester D. Silvers
H. C. Steely
Henry Stewart
Dr. H. S. Swope
W. R. Tapp
J. J. Thomas
R. Van Bever, Jr.
S. J. Wagner
Joseph L. Wall
Henry Ward
Charles Wylie

—82

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 238. An Act establishing as part of the primary system of state highways a road known as the Glasgow-Tompkinsville road, via Nobob, Sulphur Lick, Forkton, in Barren and Monroe Counties.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State highways of the Commonwealth of Kentucky a road leading from Glasgow, in Barren County, to Tompkinsville, in Monroe County, following present route of said highway from Glasgow to a point on the Glasgow-

Burkesville road about eight miles from Glasgow, thence to Nobob, thence to Sulphur Lick, thence to Forkton, thence to Tompkinsville.

§ 2. The construction and maintenance, supervision and control of said road shall be subject to and controlled by provisions of Chapter 17 of the Acts of the General Assembly of 1920 and all laws pertaining thereto, establishing and creating a primary system of State highways to the same effect as if said road had been named in the original Act as one of the projects of the primary system of State highways, as provided therein.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen	Herbert Cook	C. L. Hammons
Henry H. Allen	Harry Davis	Thomas W. Hines
C. W. Anderson, Jr.	Sam Dever	Price Holbrook
H. T. Baker	Stanley S. Dickson	Clyde S. Howard
W. T. Baker	George W. Dunlap	Ira W. Hulette
Reuben J. Boling	Howard G. Early	John M. Hunnicut
Ollie J. Bowen	Garland Embry	J. H. Jones
Wallace Brown	Walter R. Fannin	O. C. Jones
Jas. C. Carter	T. P. Fitzpatrick	J. F. Ladd
V. O. Chandler	H. Myer Garner	Leslie Larrimore
Roscoe Claxon	G. W. Garrett	Robert E. Lee
George S. Clay	Ferd A. Gnau	M. T. McCarthy
J. A. Coleman	Ben Grogan	T. B. McConnell
Roy Conway	Jas. T. Hamilton	J. L. McDermott

Lloyd MacDonald	Mel Petry	P. L. Sidebottom
W. F. McGary	A. W. Pfeiffer	Chester D. Silvers
Elmer McGlothen	J. C. Ramey	H. C. Steely
John Marshall	Hobart Rayburn	Henry Stewart
C. S. Matherly	Harry C. Records	Dr. H. S. Swope
D. T. Matlack	L. K. Rice	W. R. Tapp
Duke Mayfield	Wade H. Riley	J. J. Thomas
W. H. Miller	Joe E. Robinson	R. Van Bever, Jr.
John B. Mollett	John C. Robinson	S. J. Wagner
W. E. Mull	W. T. Rollo	Joseph L. Wall
Tyler Munford	Carl Scheben	Henry Ward
Rodes K. Myers	Carl Schneider	Charles Wylie
J. C. Nickell	Ray O. Shehan	
Russell O'Neill	Dr. B. F. Shields	—82

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 239. An Act establishing as part of the system of State highways a road known as the Bewleytown road in Barren County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State highways of the Commonwealth of Kentucky a road in Barren County known as the Bewleytown road, said road starting at Tracy church on the Glasgow

Fountain Run highway and ending at Browns ford on Barren River.

§ 2. That the construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920, and all other laws pertaining thereto establishing and creating the primary system of State highways, to the same effect as if said road had been named in the original Act as one of the projects of the primary system of State highways as provided therein.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen	Harry Davis	Price Holbrook
Henry H. Allen	Sam Dever	Clyde S. Howard
C. W. Anderson, Jr.	Stanley S. Dickson	Ira W. Hulette
H. T. Baker	George W. Dunlap	John M. Hunnicut
W. T. Baker	Howard G. Early	J. H. Jones
Reuben J. Boling	Garland Embry	O. C. Jones
Ollie J. Bowen	Walter R. Fannin	J. F. Ladd
Wallace Brown	T. P. Fitzpatrick	Leslie Larrimore
Jas. C. Carter	H. Myer Garner	Robert E. Lee
V. O. Chandler	G. W. Garrett	M. T. McCarthy
Roscoe Claxon	Ferd A. Gnau	T. B. McConnell
George S. Clay	Ben Grogan	J. L. McDermott
J. A. Coleman	Jas. T. Hamilton	Lloyd MacDonald
Roy Conway	C. L. Hammons	W. F. McGary
Herbert Cook	Thomas W. Hines	Elmer McGlothen

John Marshall	J. C. Ramey	P. L. Sidebottom
C. S. Matherly	Hobart Rayburn	Chester D. Silvers
D. T. Matlack	Harry C. Records	H. C. Steely
W. H. Miller	L. K. Rice	Henry Stewart
John B. Mollett	Wade H. Riley	Dr. H. S. Swope
W. E. Mull	Joe E. Robinson	J. J. Thomas
Tyler Munford	John C. Robinson	R. Van Bever, Jr.
Rodes K. Myers	W. T. Rollo	S. J. Wagner
J. C. Nickell	Carl Scheben	Joseph L. Wall
Russell O'Neill	Carl Schneider	Henry Ward
Mel Petry	Ray O. Shehan	Charles Wylie
A. W. Pfeiffer	Dr. B. F. Shields	—80

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 240. An Act establishing as part of the primary system of State highways a road known as the Milburn and Taylor road in Barren County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State highways of the Commonwealth of Kentucky a road known as the Milburn and Taylor road in Barren County, said road starting near Antioch church on the Glasgow-Flippin road and ending at its intersection with the Glasgow-Fountain Run road at Union church.

§ 2. That the construction, maintenance, supervision

and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920, and all other laws pertaining thereto establishing and creating the primary system of State highways, to the same effect as if said road had been named in the original Act as one of the projects of the primary system of State highways as provided therein.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen	George W. Dunlap	J. F. Ladd
Henry H. Allen	Howard G. Early	Leslie Larrimore
C. W. Anderson, Jr.	Garland Embry	Robert E. Lee
H. T. Baker	Walter R. Fannin	M. T. McCarthy
W. T. Baker	T. P. Fitzpatrick	T. B. McConnell
Reuben J. Boling	H. Myer Garner	J. L. McDermott
Ollie J. Bowen	G. W. Garrett	Lloyd MacDonald
Wallace Brown	Ferd A. Gnau	W. F. McGary
Jas. C. Carter	Ben Grogan	Elmer McGlothen
V. O. Chandler	Jas. T. Hamilton	John Marshall
Roscoe Claxon	C. L. Hammons	C. S. Matherly
George S. Clay	Thomas W. Hines	D. T. Matlack
J. A. Coleman	Price Holbrook	W. H. Miller
Roy Conway	Clyde S. Howard	John B. Mollett
Herbert Cook	Ira W. Hulette	W. E. Mull
Harry Davis	John M. Hunnicut	Tyler Munford
Sam Dever	J. H. Jones	Rodes K. Myers
Stanley S. Dickson	O. C. Jones	J. C. Nickell

Russell O'Neill	John C. Robinson	Henry Stewart
Mel Petry	W. T. Rollo	Dr. H. S. Swope
A. W. Pfeiffer	Carl Scheben	J. J. Thomas
J. C. Ramey	Carl Schneider	R. Van Bever, Jr.
Hobart Rayburn	Ray O. Shehan	S. J. Wagner
Harry C. Records	Dr. B. F. Shields	Joseph L. Wall
L. K. Rice	P. L. Sidebottom	Henry Ward
Wade H. Riley	Chester D. Silvers	Charles Wylie
Joe E. Robinson	H. C. Steely	—80

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 243. An Act to establish as a part of the primary system of the highways of the Commonwealth of Kentucky a road, beginning at Kennedy's church and Kennedy's schoolhouse, via lands of Wallace Dixon, thence to Herman Valley, thence to Highland Creek and Henderson County line.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of the highways of the Commonwealth of Kentucky, a road beginning at Kennedy's church and Kennedy's schoolhouse, via lands of Wallace Dixon, thence to Herman Valley, thence to Highland Creek and Henderson County line.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to all of the terms and

provisions set out and provided for in Chapter 17 in the Acts of the General Assembly of 1920, as amended.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen	G. W. Garrett	W. H. Miller
Henry H. Allen	Ferd A. Gnau	John B. Mollett
C. W. Anderson, Jr.	Ben Grogan	W. E. Mull
H. T. Baker	Jas. T. Hamilton	Tyler Munford
W. T. Baker	C. L. Hammons	Rodes K. Myers
Reuben J. Boling	Thomas W. Hines	J. C. Nickell
Ollie J. Bowen	Price Holbrook	Russell O'Neill
Wallace Brown	Clyde S. Howard	Mel Petry
Jas. C. Carter	Ira W. Hulette	A. W. Pfeiffer
V. O. Chandler	John M. Hunnicut	J. C. Ramey
Roscoe Claxon	J. H. Jones	Hobart Rayburn
George S. Clay	O. C. Jones	Harry C. Records
J. A. Coleman	J. F. Ladd	L. K. Rice
Roy Conway	Leslie Larrimore	Wade H. Riley
Herbert Cook	Robert E. Lee	Joe E. Robinson
Harry Davis	M. T. McCarthy	John C. Robinson
Sam Dever	T. B. McConnell	W. T. Rollo
Stanley S. Dickson	J. L. McDermott	Carl Scheben
George W. Dunlap	Lloyd MacDonald	Carl Schneider
Howard G. Early	W. F. McGary	Ray O. Shehan
Garland Embry	Elmer McGlothen	Dr. B. F. Shields
Walter R. Fannin	John Marshall	P. L. Sidebottom
T. P. Fitzpatrick	C. S. Matherly	Chester D. Silvers
H. Myer Garner	D. T. Matlack	H. C. Steely

Henry Stewart	R. Van Bever, Jr.	Henry Ward	
Dr. H. S. Swope	S. J. Wagner	Charles Wylie	
J. J. Thomas	Joseph L. Wall		—80

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 255. An Act to place in the state primary road system a road in Owen County, intersecting with State Road No. 35, leading from Owenton to Sparta, about three and one-half miles north of Owenton at the R. W. Orr farm and running in an eastward direction past the farm of W. E. King and Pleasant Ridge Baptist church to Taft Memorial highway at Sweet Owen, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the road in Owen County, Kentucky, intersecting with State Road No. 35, leading from Owenton to Sparta, about three and one-half miles north of Owenton at the R. W. Orr farm and running in an eastward direction by the farm of W. E. King at Pleasant Ridge Baptist Church, and intersecting with Taft Memorial highway at Sweet Owen, Kentucky, be placed in the State primary road system.

§ 2. That said road when placed in the primary system shall be entitled to all the benefits and rights provided for roads in the State primary system as now provided by law.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen
Henry H. Allen
C. W. Anderson, Jr.
H. T. Baker
W. T. Baker
Reuben J. Boling
Ollie J. Bowen
Wallace Brown
Jas. C. Carter
V. O. Chandler
Roscoe Claxon
George S. Clay
J. A. Coleman
Roy Conway
Herbert Cook
Harry Davis
Sam Dever
Stanley S. Dickson
George W. Dunlap
Howard G. Early
Garland Embry
Walter R. Fannin
T. P. Fitzpatrick
H. Myer Garner
G. W. Garrett
Ferd A. Gnau
Ben Grogan
Jas. T. Hamilton
C. L. Hammons
Thomas W. Hines
Price Holbrook
Clyde S. Howard
Ira W. Hulette
John M. Hunnicut
J. H. Jones
O. C. Jones
J. F. Ladd
Leslie Larrimore
Robert E. Lee
M. T. McCarthy
T. B. McConnell
J. L. McDermott
Lloyd MacDonald
W. F. McGary
Elmer McGlothen
John Marshall
C. S. Matherly
D. T. Matlack
Duke Mayfield
W. H. Miller
John B. Mollett
W. E. Mull
Tyler Munford
Rodes K. Myers
J. C. Nickell
Russell O'Neill
Mel Petry
A. W. Pfeiffer
J. C. Ramey
Hobart Rayburn
Harry C. Records
L. K. Rice
Wade H. Riley
Joe E. Robinson
John C. Robinson
W. T. Rollo
Carl Scheben
Carl Schneider
Ray O. Shehan
Dr. B. F. Shields
P. L. Sidebottom
Chester D. Silvers
H. C. Steely
Henry Stewart
Dr. H. S. Swope
J. J. Thomas
R. Van Bever, Jr.
S. J. Wagner
Joseph L. Wall
Henry Ward
Charles Wylie

—81

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 256. An Act to place in the State primary road system a road in Owen County, intersecting with State Road No. 35, leading from Owenton to Sparta, about two miles north of Owenton at the J. W. Agee farm and running with the old New Liberty and Owenton Road as near as practicable in a northwestern direction to intersect Federal Road No. 227 near the town of New Liberty, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the old New Liberty and Owenton road intersecting with State Road No. 35 leading from Owenton, Kentucky, to Sparta, Kentucky, about two miles north of Owenton at the J. W. Agee farm and running in a northwestern direction, intersecting with Federal Road No. 227 near the town of New Liberty, Kentucky, following the old New Liberty and Owenton road as nearly as practicable, be placed in the State primary road system.

§ 2. That said road when placed in the primary system shall be entitled to all the benefits and rights provided for roads in the State primary system as now provided by law.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of

said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen	Jas. T. Hamilton	J. C. Nickell
Henry H. Allen	C. L. Hammons	Russell O'Neill
C. W. Anderson, Jr.	Thomas W. Hines	Mel Petry
H. T. Baker	Price Holbrook	A. W. Pfeiffer
W. T. Baker	Clyde S. Howard	J. C. Ramey
Reuben J. Boling	Ira W. Hulette	Hobart Rayburn
Ollie J. Bowen	John M. Hunnicut	Harry C. Records
Wallace Brown	J. H. Jones	L. K. Rice
Jas. C. Carter	O. C. Jones	Wade H. Riley
V. O. Chandler	J. F. Ladd	Joe E. Robinson
Roscoe Claxon	Leslie Larrimore	John C. Robinson
George S. Clay	Robert E. Lee	W. T. Rollo
J. A. Coleman	M. T. McCarthy	Carl Scheben
Roy Conway	T. B. McConnell	Carl Schneider
Herbert Cook	J. L. McDermott	Ray O. Shehan
Harry Davis	Lloyd MacDonald	Dr. B. F. Shields
Sam Dever	W. F. McGary	P. L. Sidebottom
Stanley S. Dickson	Elmer McGlothen	Chester D. Silvers
George W. Dunlap	John Marshall	H. C. Steely
Howard G. Early	C. S. Matherly	Henry Stewart
Garland Embry	D. T. Matlack	Dr. H. S. Swope
Walter R. Fannin	Duke Mayfield	J. J. Thomas
T. P. Fitzpatrick	W. H. Miller	R. Van Bever, Jr.
H. Myer Garner	John B. Mollett	S. J. Wagner
G. W. Garrett	W. E. Mull	Joseph L. Wall
Ferd A. Gnau	Tyler Munford	Henry Ward
Ben Grogan	Rodes K. Myers	Charles Wylie

—81

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 261. An Act creating and establishing as part of the primary system of highways of the Commonwealth of Kentucky a road extending from Frenchburg in Menifee County to Bath County line, known as the Frenchburg-Owingsville road, to approximately 2 9/10 miles on said road that has never been let or awarded, intersecting road at this time under construction.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State highways of the Commonwealth of Kentucky, a road extending from Frenchburg in Menifee County to Bath County line, known as the Frenchburg-Owingsville road to approximately 2 9/10 miles on said road that has never been let or awarded, intersecting road at this time under construction.

§ 2. This road thus established, to be entitled to receive all benefits of such laws as are now or may hereafter be in effect relating to the primary system of roads and highways in the Commonwealth of Kentucky.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen
Henry H. Allen
C. W. Anderson, Jr.
H. T. Baker
W. T. Baker
Reuben J. Boling
Ollie J. Bowen
Wallace Brown
Jas. C. Carter
V. O. Chandler
Roscoe Claxon
George S. Clay
J. A. Coleman
Roy Conway
Herbert Cook
Harry Davis
Sam Dever
Stanley S. Dickson
George W. Dunlap
Howard G. Early
Garland Embry
Walter R. Fannin
T. P. Fitzpatrick
H. Myer Garner
G. W. Garrett
Ferd A. Gnau
Ben Grogan
Jas. T. Hamilton
C. L. Hammons
Thomas W. Hines
Price Holbrook
Clyde S. Howard
Ira W. Hulette
John M. Hunnicut
J. H. Jones
O. C. Jones
J. F. Ladd
Leslie Larrimore
Robert E. Lee
M. T. McCarthy
T. B. McConnell
J. L. McDermott
Lloyd MacDonald
W. F. McGary
Elmer McGlothen
John Marshall
C. S. Matherly
D. T. Matlack
Duke Mayfield
W. H. Miller
John B. Mollett
W. E. Mull
Tyler Munford
Rodes K. Myers
J. C. Nickell
Russell O'Neill
Mel Petry
A. W. Pfeiffer
J. C. Ramey
Hobart Rayburn
Harry C. Records
L. K. Rice
Wade H. Riley
Joe E. Robinson
John C. Robinson
W. T. Rollo
Carl Scheben
Carl Schneider
Ray O. Shehan
Dr. B. F. Shields
P. L. Sidebottom
Chester D. Silvers
H. C. Steely
Henry Stewart
Dr. H. S. Swope
J. J. Thomas
R. Van Bever, Jr.
S. J. Wagner
Joseph L. Wall
Henry Ward
Charles Wylie

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Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table,

Said last named motion was agreed to.

A message was received from the Senate, announcing that they had passed bills which originated in the Senate, entitled:

H. B. 203. An Act exempting persons engaged in, connected with or employed on any newspaper from disclosing in any legal proceeding or trial before any Court, Grand Jury, or Petit Jury, or the presiding officer of any tribunal or his agent or agents, or before the General Assembly, or any Committee thereof, or any county or city Legislative body, or any committee thereof, the source of any information procured or obtained by him and published in the newspapers on which he is engaged, connected with or employed.

H. B. 223. An Act relating to Primary Roads.

H. B. 224. An Act relating to Primary Roads.

H. B. 225. An Act relating to Primary Roads.

H. B. 230. An Act relating to Primary Roads.

H. B. 235. An Act relating to Primary Roads.

H. B. 240. An Act relating to Primary Roads.

H. B. 241. An Act relating to Primary Roads.

H. B. 242. An Act relating to Primary Roads.

H. B. 243. An Act relating to Primary Roads.

H. B. 244. An Act relating to Primary Roads.

H. B. 245. An Act relating to Primary Roads.

H. B. 246. An Act relating to Primary Roads.

H. B. 247. An Act relating to Primary Roads.

H. B. 248. An Act relating to Primary Roads.

H. B. 249. An Act relating to Primary Roads.

H. B. 251. An Act relating to Primary Roads.

H. B. 255. An Act relating to Primary Roads.

H. B. 257. An Act relating to Primary Roads.

H. B. 258. An Act relating to Primary Roads.

H. B. 259. An Act relating to Primary Roads.

H. B. 260. An Act relating to Primary Roads.

H. B. 261. An Act relating to Primary Roads.

H. B. 264. An Act relating to Primary Roads.

H. B. 265. An Act relating to Primary Roads.

H. B. 266. An Act relating to Primary Roads

H. B. 267. An Act relating to Primary Roads.

H. B. 268. An Act relating to Primary Roads.

H. B. 269. An Act relating to Primary Roads.

H. B. 270. An Act relating to Primary Roads.

H. B. 271. An Act relating to Primary Roads.

H. B. 272. An Act relating to Primary Roads.

H. B. 277. An Act relating to Primary Roads.

H. B. 278. An Act relating to Primary Roads.

H. B. 280. An Act relating to Primary Roads.

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H. B. 285. An Act relating to Primary Roads.

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H. B. 288. An Act relating to Primary Roads.

H. B. 289. An Act relating to Primary Roads.

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H. B. 292. An Act relating to Primary Roads.

H. B. 293. An Act relating to Primary Roads.

H. B. 295. An Act relating to Primary Roads.

H. B. 296. An Act relating to Primary Roads.

H. B. 297. An Act relating to Primary Roads.

H. B. 298. An Act relating to Primary Roads.

H. B. 309. An Act relating to Primary Roads.

H. B. 310. An Act relating to Primary Roads.

H. B. 311. An Act relating to Primary Roads.

H. B. 312. An Act relating to Primary Roads.

H. B. 318. An Act relating to Primary Roads.

H. B. 322. An Act relating to Primary Roads.

H. B. 323. An Act relating to Primary Roads.

H. B. 324. An Act relating to Primary Roads.

H. B. 326. An Act relating to Primary Roads.

H. B. 327. An Act relating to Primary Roads.

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H. B. 329. An Act relating to Primary Roads.

H. B. 330. An Act relating to Primary Roads.

H. B. 332. An Act relating to Primary Roads.

H. B. 333. An Act relating to Primary Roads.

H. B. 340. An Act relating to Primary Roads.

H. B. 341. An Act relating to Primary Roads.

H. B. 342. An Act relating to Primary Roads.

H. B. 343. An Act relating to Primary Roads.

H. B. 352. An Act relating to Primary Roads.

H. B. 353. An Act relating to Primary Roads.

H. B. 354. An Act relating to Primary Roads.

H. B. 499. An Act relating to Primary Roads.

H. B. 502. An Act relating to Primary Roads.

H. B. 356. An Act relating to Primary Roads.

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H. B. 361. An Act relating to Primary Roads.

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H. B. 363. An Act relating to Primary Roads.

H. B. 364. An Act relating to Primary Roads.

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H. B. 395. An Act relating to Primary Roads.

H. B. 396. An Act relating to Primary Roads.

H. B. 397. An Act relating to Primary Roads.

H. B. 398. An Act relating to Primary Roads.

H. B. 399. An Act relating to Primary Roads.

H. B. 400. An Act relating to Primary Roads.

H. B. 401. An Act relating to Primary Roads.

H. B. 408. An Act relating to Primary Roads.

H. B. 409. An Act relating to Primary Roads.

H. B. 416. An Act relating to Primary Roads.

H. B. 417. An Act relating to Primary Roads.

H. B. 418. An Act relating to Primary Roads.

H. B. 419. An Act relating to Primary Roads.

H. B. 420. An Act relating to Primary Roads.

H. B. 421. An Act relating to Primary Roads.

H. B. 422. An Act relating to Primary Roads.

H. B. 423. An Act relating to Primary Roads.

H. B. 429. An Act relating to Primary Roads.

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H. B. 432. An Act relating to Primary Roads.

H. B. 433. An Act relating to Primary Roads.

H. B. 434. An Act relating to Primary Roads.

H. B. 438. An Act relating to Primary Roads.

H. B. 455. An Act relating to Primary Roads.

H. B. 456. An Act relating to Primary Roads.

H. B. 457. An Act relating to Primary Roads.

H. B. 458. An Act relating to Primary Roads.

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H. B. 461. An Act relating to Primary Roads.

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H. B. 491. An Act relating to Primary Roads.

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H. B. 493. An Act relating to Primary Roads.

H. B. 494. An Act relating to Primary Roads.

H. B. 495. An Act relating to Primary Roads.

H. B. 496. An Act relating to Primary Roads.

H. B. 497. An Act relating to Primary Roads.

H. B. 498. An Act relating to Primary Roads.

Ordered that said bills be delivered to the Enrolling Clerk of this House.

A message was received from the Senate, announcing that they had passed a bill which originated in this House, entitled:

H. B. 77. An Act relating to primary and general elections.

With an amendment thereto as proposed by the Senate.

(For bill see House Journal of January 29).

Said amendment as offered and proposed by the Senate, is as follows, viz.:

Amend H. B. 77 in Senate by adding on page 4 after line 91, the following: "providing however, they shall not meet nor tabulate during the Sabbath Day".

Said amendment was then concurred in.

Said bill was then passed, as amended.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen	Herbert Cook	Thomas W. Hines
Henry H. Allen	Sam Dever	Price Holbrook
C. W. Anderson, Jr.	Stanley S. Dickson	Clyde S. Howard
H. T. Baker	Howard G. Early	Ira W. Hulette
W. T. Baker	Garland Embry	John M. Hunnicut
B. F. Bedford	Walter R. Fannin	J. H. Jones
Reuben J. Boling	T. P. Fitzpatrick	O. C. Jones
Ollie J. Bowen	H. Myer Garner	R. T. Kirkman
Wallace Brown	G. W. Garrett	J. F. Ladd
Dr. R. A. Byers	Ferd A. Gnau	Leslie Larrimore
V. O. Chandler	Eugene Gough	Robert E. Lee
Floyd Clark	Ben Grogan	M. T. McCarthy
Roscoe Claxon	James T. Hamilton	T. B. McConnell
J. A. Coleman	C. L. Hammons	J. L. McDermott
Roy Conway	W. L. Hampton, Jr.	Lloyd MacDonald

W. F. McGary	A. W. Pfeiffer	Dr. B. F. Shields
Elmer McGlothen	J. C. Ramey	Chester D. Silvers
John Marshall	Hobart Rayburn	Bruce Sloan
C. S. Matherly	L. K. Rice	H. C. Steely
D. T. Matlack	Wade H. Riley	Henry Stewart
Duke Mayfield	Joe E. Robinson	Dr. H. S. Swope
W. H. Miller	John C. Robinson	J. J. Thomas
John B. Mollett	Carl Scheben	R. Van Bever, Jr.
W. E. Mull	Carl Schneider	S. J. Wagner
Mel Petry	Ray O. Shehan	Henry Ward

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Those who voted in the negative were—

George W. Dunlap James Garnett, Jr. —2

Mr. McCarthy moved that the vote by which said bill was passed, as amended, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Ordered that said bill be delivered to the Enrolling Clerk of this House.

The Clerk of the Senate appeared upon the floor of the House and requested that the Senate be allowed to recall a resolution entitled:

S. Res. 39. Resolution providing for maintaining suits for the recovery of taxes.

Which was delivered to the House on February 10.

Without objection, said resolution was delivered to the Chief Clerk of the Senate.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 136. An Act to amend and re-enact Chapter 66, Article 11, Section 2117, Carroll's Kentucky Statutes 1930, relating to divorce by adding thereto certain causes for divorce to the husband.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Chapter 66, Article 11, Section 2117, Carroll's Kentucky Statutes 1930, relating to divorce, be and the same is hereby amended and re-enacted so that the same shall read as follows:

2117. *Equity Jurisdiction; Cause for Divorce.*—A jury shall not be impaneled in any action for divorce, alimony or maintenance, but courts having general equity jurisdiction may grant a divorce for any of the following causes, to both husband and wife:

1. To both parties. Such impotency or malformation as prevents sexual intercourse.

2. Living apart without any cohabitation for five consecutive years next before the application.

To party not in fault. Also to the party not in fault, for the following causes:

1. Abandonment by one paty or the other for one year.

2. Living in adultery with another man or woman.

3. Condemnation for felony in or out of this state.

4. Concealment from the other party of any loathsome disease existing at the time of marriage, or contracting such afterward.

5. Force, duress or fraud in obtaining the marriage.

6. Uniting with any religious society whose creed and rules require a renunciation of the marriage covenant, or forbid husband and wife from cohabiting.

To the wife. Also to the wife, when not in like fault, for the following causes:

1. Confirmed habit of drunkenness on the part of the husband for not less than one year's duration, accompanied with a wasting of his estate, and without any suitable provision for the maintenance of his wife or children.

2. Habitually behaving toward her by the husband, for not less than six months, in such cruel and inhuman manner as to indicate a settled aversion to her, or to destroy permanently her peace or happiness.

3. Such cruel beating or injury, or attempt at injury, of the wife by the husband as indicates an outrageous temper in him, or probable danger to her life, or great bodily injury from her remaining with him.

To the husband. Also to the husband for the following causes:

1. Where the wife is pregnant by another man without the husband's knowledge at the time of marriage.

2. When not in like fault, habitual drunkenness on the part of the wife of not less than one year's duration.

3. Adultery by the wife, or such lewd, lascivious behavior on her part as proves her to be unchaste, without actual proof of an act of adultery.

4. Habitually behaving towards him by the wife, for not less than six months, in such cruel and inhuman manner as to indicate a settled aversion to him or to destroy permanently his peace and happiness.

5. Such cruel beating or injury, or attempt at injury of the husband by the wife as indicates an outrageous temper in her or probable danger to his life or great bodily injury from his remaining with her.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of

said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen
Henry H. Allen
C. W. Anderson, Jr.
H. T. Baker
W. T. Baker
Ollie J. Bowen
Wallace Brown
Dr. R. A. Byers
Jas. C. Carter
V. O. Chandler
George S. Clay
J. A. Coleman
Roy Conway
Sam Dever
Stanley S. Dickson
George W. Dunlap
Howard G. Early
Walter R. Fannin
H. Myer Garner
James Garnett, Jr.
Ferd A. Gnau
Eugene Gough
Ben Grogan
Jas. T. Hamilton
C. L. Hammons
W. L. Hampton, Jr.
Thomas W. Hines
Price Holbrook
Clyde S. Howard
John M. Hunnicut
J. H. Jones
O. C. Jones
R. T. Kirkman
J. F. Ladd
Leslie Larrimore
M. T. McCarthy
J. L. McDermott
Lloyd MacDonald
W. F. McGary
Elmer McGlothen
John Marshall
D. T. Matlack
W. H. Miller
John B. Mollett
W. E. Mull
Tyler Munford
J. C. Nickell
Russell O'Neill
Mel Petry
J. C. Ramey
Harry C. Records
L. K. Rice
Wade H. Riley
Joe E. Robinson
W. T. Rollo
A. W. Ross
Carl Scheben
Ray O. Shehan
Dr. B. F. Shields
P. L. Sidebottom
H. C. Steely
Henry Stewart
Dr. H. S. Swope
W. R. Tapp
J. J. Thomas
R. Van Bever, Jr.
Henry Ward
W. G. Williams

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Those who voted in the negative were—

Reuben J. Boling
Roscoe Claxon
Herbert Cook
Garland Embry
T. P. Fitzpatrick
G. W. Garrett
Ira W. Hulette
T. B. McConnell
Duke Mayfield
Joseph L. Wall
Charles Wylie

—11

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 97. An Act providing for the acquisition by the Commonwealth of Kentucky of the stereotype plates, books, copyrights and all other proprietary rights of and in the first seventy-seven volumes of the Reports of the Court of Appeals of Kentucky from the present non-resident owners thereof, The W. H. Anderson Company, in order that the Commonwealth may acquire, own, preserve and control the publication and sale of the same; and to provide for the negotiations and the purchase of same, subject to the consent and approval of the Trustees of the Law Library, to wit: The Judges of the Court of Appeals and the Attorney General; and to provide for the storage of said property and for the reprinting, sale and distribution of said Reports in the future; and providing an appropriation to pay for same in the event of purchase.

Said bill is as follows, viz.:

Whereas, the copyrights and the stereotype plates pertaining to the first seventy-seven volumes of the Reports of the Court of Appeals of Kentucky, are now owned by a non-resident corporation, to wit: The W. H. Anderson Company, of Cincinnati, Ohio;

Whereas, it is to the interest of the Commonwealth of Kentucky and the citizens thereof, that the same be preserved, and that the Commonwealth acquire, own and control all the rights pertaining to the aforesaid Court Reports: Now, therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the Law Librarian is hereby directed, authorized and empowered to negotiate with the present owners of the said stereotype plates, copyrights, books and all other proprietary rights in the first seventy-seven volumes of the Reports of the Court of Appeals of Kentucky, for the purpose of purchasing same for the Commonwealth of Kentucky, and that subject to the consent and approval of a majority of the Trustees of the Law Library, the said Law Librarian is hereby directed, authorized and empowered to enter into a contract for the purchase of said property on and after the effective date of this act at a cost not to exceed $15,000.00, Fifteen Thousand Dollars. In the event of a purchase of said property, the Law Librarian, subject to the approval of a majority of the Trustees of the Law Library, shall provide for the permanent ownership, control and distribution of the said Reports by the Commonwealth.

§ 2. In the event of the acquisition of said property, the storage, sale and distribution of the said Reports, and the reprinting and sale of any volumes which may be exhausted, shall be vested in and under the supervision of the officials as provided in Section No. 955a-1, to and including Section No. 955a-10, of the Kentucky Statutes, Carroll's 1930 Edition, pertaining to the control, sale and distribution of the current Reports of the Court of Appeals.

§ 3. In the event of a purchase of the aforesaid property, the payment for the property acquired under the provisions of this act, is to be made out of the general fund of the Commonwealth. and the Auditor shall draw and issue a warrant in payment of the purchase price. The proceeds received from the printing, sale and distribution of any or all of said first seventy-seven reports is to be credited and paid into the general fund of the Commonwealth.

§ 4. There is hereby appropriated out of the general fund of the Commonwealth of Kentucky, a sum sufficient to pay the purchase price of said property and rights, in the event of a purchase thereof, not to exceed the sum of $15,000.00.

§ 5. All laws, or parts of laws in conflict herewith, are now hereby repealed.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Walter R. Fannin	M. T. McCarthy
C. W. Anderson, Jr.	Chas. P. Farnsley	T. B. McConnell
W. T. Baker	T. P. Fitzpatrick	J. L. McDermott
B. F. Bedford	H. Myer Garner	Lloyd MacDonald
Ollie J. Bowen	James Garnett, Jr.	W. F. McGary
Wallace Brown	Ferd A. Gnau	Elmer McGlothen
Dr. R. A. Byers	Eugene Gough	C. S. Matherly
Jas. C. Carter	Ben Grogan	D. T. Matlack
V. O. Chandler	C. L. Hammons	Duke Mayfield
Roscoe Claxon	W. L. Hampton, Jr.	John B. Mollett
George S. Clay	Price Holbrook	W. E. Mull
J. A. Coleman	Clyde S. Howard	J. C. Nickell
Roy Conway	Ira W. Hulette	Russell O'Neill
Herbert Cook	John M. Hunnicut	Mel Petry
Harry Davis	J. H. Jones	A. W. Pfeiffer
Sam Dever	R. T. Kirkman	J. C. Ramey
Stanley S. Dickson	J. F. Ladd	Hobart Rayburn
Garland Embry	Robert E. Lee	Harry C. Records

L. K. Rice	P. L. Sidebottom	R. Van Bever, Jr.
Wade H. Riley	Chester D. Silvers	S. J. Wagner
Joe E. Robinson	Bruce Sloan	Joseph L. Wall
John C. Robinson	H. C. Steely	Henry Ward
W. T. Rollo	Henry Stewart	W. G. Williams
A. W. Ross	Dr. H. S. Swope	Charles Wylie
Carl Scheben	W. R. Tapp	
Dr. B. F. Shields	J. J. Thomas	—76

Those who voted in the negative were—

W. H. Miller	Ray O. Shehan	—2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 93. An Act to provide State Insurance for public buildings and property, creating the State Insurance Commission, and defining their powers and duties, and providing a penalty for the violation, setting up the machinery for State Insurance, and creating an emergency insurance fund and providing the investment thereof, for the purpose of meeting losses by fire, wind and explosion, and providing for reinsurance by said Commission, and for such purposes incidental to the administration thereof, and the acceptance by said Commission of funds appropriated by the State, and repealing all laws in conflict therewith.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That after the passage and approval of this Act no insurance of any kind shall be taken upon any of the public buildings, furniture, fixtures or property of any kind whatever belonging to the State, except in the manner herein provided; except that this act shall not apply to any building, buildings or appurtenances thereto, which have been or may hereafter be, constructed or acquired by the University of Kentucky, any of the States Teachers Colleges, or other State educational institutions, or the governing bodies thereof, from funds obtained by loan and/or grant from the Public Works Administration or other agency of the Federal Government as authorized and provided by Chapter 72 of the Acts of the General Assembly of the 1934 Regular Session, so long as any of said bonds evidencing said indebtedness are outstanding, but that said buildings and appurtenances thereto shall be kept insured in insurance companies authorized to do business in the Commonwealth of Kentucky in an amount not in excess of the amount of the existing indebtedness against said buildings.

§ 2. That there is hereby created the State Insurance Commission, consisting of the Governor, Secretary of State, Auditor, State Treasurer, and Attorney General. The Governor shall be chairman and the Treasurer shall be Secretary.

§ 3. The amount of insurance to be carried on all buildings and property owned by the State, or any department thereof, as provided herein, shall be fixed by the State Insurance Commission, after consultation with the officials having such buildings or property in their care or custody. That the amount of insurance so carried shall in no event exceed the actual value of the property to be insured after resonable deduction for depreciation.

§ 4. That the value of all public buildings hereafter built shall be the actual cost thereof, and the insurance to be carried shall not exceed three-fourths of such value.

§ 5. That the State Insurance Commission is hereby

vested with the discretion and authority to say or determine whether, under the provisions hereof, any or all of the State's property shall or not be insured and their determination shall be final.

§ 6. For carrying out the provisions of this Act the Commission may employ such assistants as are necessary and fix their compensation, together with the expenses of such asistants.

§ 7. A "State Insurance Fund" is hereby created. All expenses of conducting the work and carrying out the provisions of this Act shall be paid out of the State Insurance Fund, upon the certificate of the State Treasurer, audited by the Auditor of Public Accounts.

§ 8. Within thirty days after the passage and approval of this Act each officer, Board of Control, Board of Trustees, Board of Regents, Agent or Agency of this State, having in charge any public buildings or property of any kind whatsoever belonging to the State, or any department thereof, shall report to the State Insurance Commission, showing in said report (a) each policy of insurance which shall be then in force upon any property of any kind belonging to the State, and the date issued; (b) the property covered by such policy or policies; (c) date of expiration of said policy; (d) rate of such insurance; and (e) the amount of premium paid thereon, and whether any of said premium remains unpaid, and if so, how much.

§ 9. The Commission shall then first proceed to determine and fix the insurable value of each building, and item of property, belonging to the State; and shall next determine which buildings or items that need protection from fire, wind or explosion or other insurance safety, and shall say in writing in its permanent minutes, to be provided for the purpose of recording all business of the Commission, what insurance, the amount, kind and nature, should be carried, written, or provided on each building or item of property, and the Com-

mission shall provide for said insurance coverage or protection so determined and fixed on each building or item of public property, as herein authorized.

§ 10. The State Insurance Commission shall cause to be made a Biennial Report of its activities to the General Assembly.

§ 11. The State Insurance Commission, herein created, shall have and it is hereby vested with complete and final control and supervision of all insurance of every kind upon state owned property of every kind, and it shall have the authority to cancel, renew and in every way control the said insurance of every kind upon property belonging to the State.

§ 12. It is hereby made the duty of the State Inspector and Examiner, and his assistants, to render such assistance to the State Insurance Commission as may be requested by it.

§ 13. The Commission shall have the right, and it is hereby made its duty, to fix a reasonable premium rate, not to exceed the rate usually charged by responsible fire and tornado insurance companies, doing business in this state, and issuing policies upon property of similar kind and exposed to risks in like manner, to be charged for insurance and the premium rate so fixed shall be paid upon the amount of insurance so determined, as herein set out, by the department or agency, having said property in charge, and the sum or amounts of premiums thereof, on each building or item of property, shall be paid into the State Insurance Fund herein created. This fund shall be used to pay expenses, fire, tornado and explosion losses, and reinsurance, as herein provided. The amount of premiums so paid in shall be held and invested and shall constitute an insurance sinking fund to be used as herein provided.

§ 14. Any sum or amount annually appropriated by the General Assembly for the purpose of creating, supplementing or aiding the purpose of this Act shall be received and paid

into the State Insurance Fund, and shall be held, invested and used as hereinbefore provided.

§ 15. That when the insurance fund herein provided for reaches the sum of $500,000.00, no further premiums shall be paid until a part of such fund has been used in the payment of losses, and in that event the premiums of insurance shall be again paid as herein provided until the fund again reaches the same sum aforesaid.

§ 16. The State Insurance Commission may reinsure upon terms which the Commission may deem wise and expedient and most advantageous in reliable insurance companies such portion of their insurance liability as is commensurate with the principles of safe underwriting, and as it may deem necessary and may prescribe such rules and regulations as may be necessary or expedient in placing and handling this reinsurance, and the carrying out of the purposes of this Act.

§ 17. All moneys paid into the State Insurance Fund, as premiums on policies of insurance, and all money received from interest on loans and investments and from any and all other sources, connected with the insurance of public property, as herein provided, shall be held by the Commission as an insurance sinking fund for the purpose of paying fire losses, expenses and reinsurance costs. Provided no further premiums shall be paid when the fund reaches the sum stated in Section 15, except as therein set out; provided further that no building or property insured or that shall hereafter be insured or protected by the fund herein created shall cease to pay premiums until five (5) annual premiums shall have been paid, even though such payments may increase the fund beyond said sum aforesaid.

§ 18. That in event of loss or damage by fire or lightning the amount of such loss or damage to be paid by the Commission shall be determined by three appraisers, one to be named by the Commission, one by the officer, official or board,

having the damaged or destroyed building in charge, and the two so appointed, in the event of disagreement, shall select a third. These appraisers shall file their written report with the Commission. Provided the funds on hand are sufficient, and in their discretion, the amount of the loss or such portion thereof as the Commission shall determine it is able at the time to pay, shall be paid over to the officer or board having the property in care and custody, to be expended for repair, restoration or rebuilding of the property damaged or destroyed. If at the time of any such report or award of loss or damage there shall not be in the State Insurance Fund sufficient amount to pay said loss or damage, as reported to the Commission by the appraisers, the Commission shall pay such portion thereof as it shall deem and determine the funds on hand will warrant, and shall report to the General Assembly for its consideration and action the facts with reference to the deficit, or balance necessary for replacement.

§ 19. The State Insurance Commission shall at all times keep the funds in its hands invested in such securities as may be readily sold for cash for the purpose of paying any loss which may occur to any of the buildings or property so insured or protected by this Act. It shall be lawful for the Commission to invest the funds in its hands in bonds or other interest bearing obligations of the Government of the United States; bonds or state warrants, or other interest bearing obligations of the State of Kentucky; securities authorized by the Congress, and known as the Federal Farm Loan Act, and Federal Home Loan Bank, and Home Owners Loan Corporation; real estate, real estate mortgage notes, bonds and other interest-bearing or dividend-paying securities which would be regarded by prudent business men as safe investments and to make loans with such securities as collateral. And all interest collected on such investments shall become a part of the State Insurance fund and held, used, reinvested and disbursed as herein provided.

§ 20. That any officer or official upon whom the duties provided in this Act devolves, who fails or refuses to carry out the provisions of this Act shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined in a sum not less than Two Hundred ($200.00) Dollars, nor more than One Thousand ($1,000.00) Dollars, or imprisonment not less than fifty (50) nor more than one hundred (100) days.

§ 21. All Acts and parts of Acts inconsistent with the provisions of this Act are hereby repealed.

§ 22. The State Treasurer of Kentucky and Secretary of the Insurance Commission herein set up shall be custodian and trustee of the moneys and funds paid in to and belonging and constituting a part of the State Insurance Fund. He shall give additional bond to be set by the State Insurance Commission and his surety to be approved by said Commission.

§ 23. Nothing in this Act shall be construed as lessening or altering the duties of the State Insurance Department now set up with reference to inspecting, investigating and pressing incendiary fires under the present law of Kentucky.

§ 24. Should any section, paragraph, clause or line of this Act be construed as being unconstitutional or invalid for any reason, this shall not affect the remainder of this Act.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen	B. F. Bedford	Douglas Bolling
W. T. Baker	Reuben J. Boling	Ollie J. Bowen

Wallace Brown	John M. Hunnicut	J. C. Ramey
Dr. R. A. Byers	J. H. Jones	Hobart Rayburn
V. O. Chandler	O. C. Jones	L. K. Rice
Roscoe Claxon	J. F. Ladd	Wade H. Riley
George S. Clay	Robert E. Lee	John C. Robinson
J. A. Coleman	M. T. McCarthy	W. T. Rollo
Roy Conway	T. B. McConnell	Carl Scheben
Sam Dever	J. L. McDermott	Ray O. Shehan
George W. Dunlap	Lloyd MacDonald	Dr. B. F. Shields
Garland Embry	W. F. McGary	P. L. Sidebottom
Walter R. Fannin	Elmer McGlothen	Bruce Sloan
T. P. Fitzpatrick	C. S. Matherly	H. C. Steely
James Garnett, Jr.	D. T. Matlack	Henry Stewart
G. W. Garrett	Duke Mayfield	Dr. H. S. Swope
Ferd A. Gnau	W. H. Miller	J. J. Thomas
Eugene Gough	John B. Mollett	S. J. Wagner
Ben Grogan	W. E. Mull	Joseph L. Wall
Jas. T. Hamilton	Tyler Munford	W. G. Williams
W. L. Hampton, Jr.	Rodes K. Myers	Charles Wylie
Clyde S. Howard	J. C. Nickell	
Ira W. Hulette	A. W. Pfeiffer	—67

Those who voted in the negative were—

Jas. C. Carter	Thomas W. Hines	R. Van Bever, Jr.
H. Myer Garner		—4

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a resolution entitled:

S. Res. 23. Resolution authorizing the personal representative of Sarah Marks, and Gladys Madison and Daisy

Carter, to sue the Commonwealth for damages for the death of said women who lost their lives in the State Normal School at Frankfort.

Said Resolution is as follows, viz.:

Whereas, On December 13, 1926, the dormitory for girls at the Kentucky Normal and Industrial College for colored persons near Frankfort, Kentucky, was destroyed by fire; and,

Whereas, Daisy Carter, and Gladys Madison, and Sarah Marks, and Annie May Pennington, each lost her life in said fire; and,

Whereas, the family of each one named are worthy poor persons; and,

Whereas, the General Assembly of 1930 has already authorized a suit to be filed for the death of said Annie May Pennington: Now, Therefore,

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

That the personal representative of Sarah Marks, daughter of E. K. Marks of Fayette County, Kentucky; and the personal representative of Gladys Madison, daughter of J. L. Madison of Wayne County, Kentucky; and the personal representative of Daisy Carter, daughter of John Carter of Anderson County, Kentucky; be and each of them is hereby empowered and authorized to file suit and to prosecute appropriate actions against the Commonwealth of Kentucky for the purpose of determining the liability of the Commonwealth for such death, if any liability there should be established. In the event of judgment, same shall be paid by the Auditor of Public Accounts by warrant drawn on the State Treasurer. Such action may be brought in the Franklin Circuit Court, the county where said fire occurred, and all parties shall have the right of appeal as in other civil cases.

Ordered that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	C. L. Hammons	J. C. Ramey
H. T. Baker	W. L. Hampton, Jr.	Hobart Rayburn
W. T. Baker	Thomas W. Hines	Harry C. Records
B. F. Bedford	Price Holbrook	L. K. Rice
Reuben J. Boling	Clyde S. Howard	Wade H. Riley
Ollie J. Bowen	J. H. Jones	John C. Robinson
Wallace Brown	O. C. Jones	A. W. Ross
Dr. R. A. Byers	J. F. Ladd	Ray O. Shehan
V. O. Chandler	Leslie Larrimore	Dr. B. F. Shields
Floyd Clark	Robert E. Lee	P. L. Sidebottom
Roscoe Claxon	T. B. McConnell	Chester D. Silvers
George S. Clay	J. L. McDermott	Bruce Sloan
J. A. Coleman	Lloyd MacDonald	H. C. Steely
Roy Conway	W. F. McGary	Henry Stewart
Harry Davis	C. S. Matherly	Dr. H. S. Swope
Sam Dever	D. T. Matlack	W. R. Tapp
Howard G. Early	Duke Mayfield	J. J. Thomas
Garland Embry	W. H. Miller	R. Van Bever, Jr.
Walter R. Fannin	John B. Mollett	S. J. Wagner
James Garnett, Jr.	W. E. Mull	Joseph L. Wall
G. W. Garrett	J. C. Nickell	Henry Ward
Ferd A. Gnau	Russell O'Neill	Charles Wylie
Ben Grogan	Mel Petry	
Jas. T. Hamilton	A. W. Pfeiffer	—70

Those who voted in the negative were—

Chas. P. Farnsley	Tyler Munford	W. T. Rollo
John M. Hunnicut		—4

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the day, a resolution entitled:

S. Res. 28. A Resolution authorizing Floyd Mays to sue the Commonwealth of Kentucky and the State Highway Commission, or either.

Said resolution is as follows, viz.:

Whereas, on or about the 9th day of September, 1933, William Mays, a resident of Perry County, Kentucky, while employed as a fireman on a Louisville & Nashville Railroad Company train, was injured by reason of the engine, upon which he was riding and working, turned over resulting in injuries to said Mays; and,

Whereas, it is the contention of said Mays that the said injuries were caused by the negligence and carelessness of the employees of the State Highway Commission of the Commonwealth of Kentucky, in that they spread over the tracks six inches of black-top where the railroad tracks cross the highway, at a crossing located on a sharp curve, and that no notice was given to said Mays or those in charge of the train of the fact that the said black-top had been placed on said tracks, nor was any notice or signal given of this fact by any of the employees of the State Highway Commission, and his said engine in attempting to back across said highway was caused to leave the rails resulting in the engine turning over on the highway resulting in the injuries to said Floyd Mays.

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

That Floyd Mays be and he is hereby authorized and permitted to sue the Commonwealth of Kentucky and the State Highway Commission, or either, in the Perry Circuit Court, the county of the residence of said Floyd Mays and the county where said accident occurred, for damages for the loss of earning power, loss of time from work, physical suffering and for hospital and medical bills of the said Floyd Mays, which were all brought about and caused by the negligence of the employees of the State Highway Commission, and in the event any judgment is recovered by Floyd Mays in said suit for injuries to himself, or if same is compromised or settled, said judgment shall be paid by the Auditor of Public Accounts of the Commonwealth of Kentucky by warrant drawn on the State Treasurer and paid out of the General Fund. Either party to said suit may appeal from any judgment that may be entered therein as in any other civil suit, and the case may be settled or adjusted with the consent and approval of the Attorney General of the Commonwealth of Kentucky in the same way as any other civil case.

Ordered that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Ollie J. Bowen	Roscoe Claxon
H. T. Baker	Wallace Brown	George S. Clay
W. T. Baker	Dr. R. A. Byers	J. A. Coleman
B. F. Bedford	V. O. Chandler	Roy Conway
Reuben J. Boling	Floyd Clark	Harry Davis

Sam Dever	T. B. McConnell	John C. Robinson
Howard G. Early	J. L. McDermott	A. W. Ross
Garland Embry	Lloyd MacDonald	Ray O. Shehan
Walter R. Fannin	W. F. McGary	Dr. B. F. Shields
James Garnett, Jr.	C. S. Matherly	P. L. Sidebottom
G. W. Garrett	D. T. Matlack	Chester D. Silvers
Ferd A. Gnau	Duke Mayfield	Bruce Sloan
Ben Grogan	W. H. Miller	H. C. Steely
Jas. T. Hamilton	John B. Mollett	Henry Stewart
C. L. Hammons	W. E. Mull	Dr. H. S. Swope
W. L. Hampton, Jr.	J. C. Nickell	W. R. Tapp
Thomas W. Hines	Russell O'Neill	J. J. Thomas
Price Holbrook	Mel Petry	R. Van Bever, Jr.
Clyde S. Howard	A. W. Pfeiffer	S. J. Wagner
J. H. Jones	J. C. Ramey	Joseph L. Wall
O. C. Jones	Hobart Rayburn	Henry Ward
J. F. Ladd	Harry C. Records	Charles Wylie
Leslie Larrimore	L. K. Rice	
Robert E. Lee	Wade H. Riley	—70

Those who voted in the negative were—

Chas. P. Farnsley	John M. Hunnicut	Tyler Munford	
W. T. Rollo			—4

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the day, a resolution entitled:

S. Res. 30. Resolution authorizing B. F. Turner to file suit against the Commonwealth of Kentucky and State Highway Commission or either.

Said resolution is as follows, viz.:

Whereas, on November 19, 1935, one B. F. Turner, was seriously and permanently injured and his wagon injured and destroyed, while on the public highways in the city of Harlan, Harlan County, Kentucky, when a Kentucky State Highway truck ran into and against a wagon owned and being driven by him:

Now, In order to determine by judicial action the question of negligence causing said injuries as aforesaid:

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

§ 1. That said B. F. Turner, in his own right and name, be and he is hereby permitted and authorized to file and prosecute appropriate actions against the Commonwealth of Kentucky and the State Highway Commission or either for the purpose of determining the liability of the Commonwealth of Kentucky, for such injuries, if any there be.

§ 2. Such actions may be brought in any Circuit Court of the Commonwealth of Kentucky, which may have jurisdiction of such matters, or may be joined with any action or any actions pending, wherein Circuit Courts have competent jurisdiction of the subject matter and parties.

§ 3. Said suit for B. F. Turner (for property damage shall be for any amount not exceeding $500.00 and said suit for B. F. Turner) for personal injuries received by him shall be for any amount not exceeding the sum of $5,000.00 and in event any judgment is recovered by the said B. F. Turner for property damage or for personal injury received by him or same is compromised or settled, same shall be paid by the Auditor of Public Accounts by warrants drawn on the State Treasurer and paid out of the General Fund.

§ 4. Either party to said suit or suits may appeal from any judgment which may be entered therein as in any other civil suit, and the case may be settled and adjusted by and

with the consent and approval of the Attorney General of Kentucky in the same way as any other civil case may be settled or adjusted.

Ordered that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen
H. T. Baker
W. T. Baker
B. F. Bedford
Reuben J. Boling
Ollie J. Bowen
Wallace Brown
Dr. R. A. Byers
V. O. Chandler
Floyd Clark
Roscoe Claxon
George S. Clay
J. A. Coleman
Roy Conway
Harry Davis
Sam Dever
Howard G. Early
Garland Embry
Walter R. Fannin
James Garnett, Jr.
G. W. Garrett
Ferd A. Gnau
Ben Grogan
James T. Hamilton
C. L. Hammons
W. L. Hampton, Jr.
Thomas W. Hines
Price Holbrook
Clyde S. Howard
J. H. Jones
O. C. Jones
J. F. Ladd
Leslie Larrimore
Robert E. Lee
T. B. McConnell
J. L. McDermott
Lloyd MacDonald
W. F. McGary
C. S. Matherly
D. T. Matlack
Duke Mayfield
W. H. Miller
John B. Mollett
W. E. Mull
J. C. Nickell
Russell O'Neill
Mel Petry
A. W. Pfeiffer
J. C. Ramey
Hobart Rayburn
Harry C. Records
L. K. Rice
Wade H. Riley
John C. Robinson
A. W. Ross
Ray O. Shehan
Dr. B. F. Shields
P. L. Sidebottom
Chester D. Silvers
Bruce Sloan
H. C. Steely
Henry Stewart
Dr. H. S. Swope
W. R. Tapp
J. J. Thomas
R. Van Bever, Jr.
S. J. Wagner
Joseph L. Wall
Henry Ward
Charles Wylie

—70

Those who voted in the negative were—

Chas. P. Farnsley Tyler Munford W. T. Rollo
John M. Hunnicut —4

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a resolution entitled:

S. Res. 33. Resolution authorizing William Cox to sue the Commonwealth of Kentucky and the State Highway Commission, or either.

Said resolution is as follows, viz.:

Whereas, on or about the seventeenth day of May, 1933, William Cox, a resident of Cooper, Wayne County, Kentucky, was run over and injured on the highway leading from Monticello to Cooper, in Wayne County, Kentucky, wherein it is claimed that while the said William Cox was walking the highway he was struck and injured, both of his legs being broken, and receiving other injuries, by a truck operated by one of the employees of the State Highway Commission, in a very careless, negligent and reckless manner, the employee driving the truck at an excessive rate of speed, on the wrong and improper side of the road, and while he was in an intoxicated condition; Therefore,

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

That William Cox be, and he is, hereby authorized and

permitted to sue the Commonwealth of Kentucky and the State Highway Commission, or either, in the Wayne Circuit Court, the county of the residence of said William Cox, for damages for the loss of earning power, physical suffering, and for hospital and medical bills of the said William Cox, which were all brought about and caused by the negligence of the employee of the State Highway Commission. Said suit shall be for any amount not exceeding the sum of six thousand ($6,000.00) dollars, and in the event any judgment is recovered by said William Cox in said suit for injuries to himself, or same is compromised or settled, said judgment shall be paid by the Auditor of Public Accounts by warrant drawn on the State Treasurer and paid out of the general fund.

Either party to said suit may appeal from any judgment which may be entered therein as in any other civil suit, and the case may be settled and adjusted with the consent and approval of the Attorney General of Kentucky in the same way as any other civil case.

Ordered that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Wallace Brown	J. A. Coleman
H. T. Baker	Dr. R. A. Byers	Roy Conway
W. T. Baker	V. O. Chandler	Harry Davis
B. F. Bedford	Floyd Clark	Sam Dever
Reuben J. Boling	Roscoe Claxon	Howard G. Early
Ollie J. Bowen	George S. Clay	Garland Embry

Walter R. Fannin	Lloyd MacDonald	A. W. Ross
James Garnett, Jr.	W. F. McGary	Ray O. Shehan
G. W. Garrett	C. S. Matherly	Dr. B. F. Shields
Ferd A. Gnau	D. T. Matlack	P. L. Sidebottom
Ben Grogan	Duke Mayfield	Chester D. Silvers
James T. Hamilton	W. H. Miller	Bruce Sloan
C. L. Hammons	John B. Mollett	H. C. Steely
W. L. Hampton, Jr.	W. E. Mull	Henry Stewart
Thomas W. Hines	J. C. Nickell	Dr. H. S. Swope
Price Holbrook	Russell O'Neill	W. R. Tapp
Clyde S. Howard	Mel Petry	J. J. Thomas
J. H. Jones	A. W. Pfeiffer	R. Van Bever, Jr.
O. C. Jones	J. C. Ramey	S. J. Wagner
J. F. Ladd	Hobart Rayburn	Joseph L. Wall
Leslie Larrimore	Harry C. Records	Henry Ward
Robert E. Lee	L. K. Rice	Charles Wylie
T. B. McConnell	Wade H. Riley	
J. L. McDermott	John C. Robinson	—70

Those who voted in the negative were—

Chas. P. Farnsley	Tyler Munford	W. T. Rollo
John M. Hunnicut		—4

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a resolution entitled:

S. Res. 35. Resolution authorizing Floyd Carnes to file suit against the Commonwealth of Kentucky or the State Highway Commission or either.

Said resolution is as follows, viz.:

Whereas, on November 26, 1935, one Floyd Carnes, was seriously and permanently injured by falling through a hole in the floor of the public bridge across Cpmberland River at Wallins Creek, Harlan County, Kentucky; and,

Whereas, the said bridge forms a part of the public highway of the Commonwealth of Kentucky, and same is maintained and kept in repair by the Commonwealth of Kentucky and its employees:

Now, in order to determine by judicial action the question of negligence causing said injuries as aforesaid;

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Floyd Carnes, in his own right and name, be and he is hereby permitted and authorized to file and prosecute appropriate actions against the Commonwealth of Kentucky for the purpose of determining the liability of the Commonwealth of Kentucky, for such injuries, if any there be.

§ 2. Such actions may be brought in any circuit court of the Commonwealth of Kentucky, which may have jurisdiction of such matters, or may be joined with any action or any actions pending, wherein circuit courts have competent jurisdiction of the subject matter and parties.

§ 3. Said suit for Floyd Carnes for personal injuries received by him shall be for any amount not exceeding the sum of $3,000.00 and in event any judgment is recovered by said Floyd Carnes for personal injuries received by him or same is compromised or settled, same shall be paid by the Auditor of Public Accounts by warrants drawn on the State Treasurer and paid out of the General Fund.

§ 4. Either party to said suit may appeal from any judgment which may be entered therein as in any other civil suit, and the case may be settled and adjusted by and with the consent and approval of the Attorney General of Ken-

tucky in the same way as any other civil case may be settled or adjusted.

Ordered that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	C. L. Hammons	J. C. Ramey
H. T. Baker	W. L. Hampton, Jr.	Hobart Rayburn
W. T. Baker	Thomas W. Hines	Harry C. Records
B. F. Bedford	Price Holbrook	L. K. Rice
Reuben J. Boling	Clyde S. Howard	Wade H. Riley
Ollie J. Bowen	J. H. Jones	John C. Robinson
Wallace Brown	O. C. Jones	A. W. Ross
Dr. R. A. Byers	R. T. Kirkman	Ray O. Shehan
V. O. Chandler	J. F. Ladd	Dr. B. F. Shields
Floyd Clark	Leslie Larrimore	P. L. Sidebottom
Roscoe Claxon	Robert E. Lee	Chester D. Silvers
George S. Clay	T. B. McConnell	Bruce Sloan
J. A. Coleman	J. L. McDermott	H. C. Steely
Roy Conway	Lloyd MacDonald	Henry Stewart
Harry Davis	W. F. McGary	Dr. H. S. Swope
Sam Dever	C. S. Matherly	W. R. Tapp
Howard G. Early	D. T. Matlack	J. J. Thomas
Garland Embry	Duke Mayfield	R. Van Bever, Jr.
Walter R. Fannin	W. H. Miller	S. J. Wagner
James Garnett, Jr.	W. E. Mull	Joseph L. Wall
G. W. Garrett	J. C. Nickell	Henry Ward
Ferd A. Gnau	Russell O'Neill	Charles Wylie
Ben Grogan	Mel Petry	
Jas. T. Hamilton	A. W. Pfeiffer	—70

Those who voted in the negative were—
Chas. P. Farnsley Tyler Munford W. T. Rollo
John M. Hunnicut —4

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a resolution entitled:

S. Res. 36. Resolution authorizing Malinda Saylor to file suit against the Commonwealth of Kentucky or the State Highway Commission or either.

Said resolution is as follows, viz.:

Whereas, on November 28, 1935, one Malinda Saylor, was seriously and permanently injured by falling through a hole in the floor of the public bridge across Cumberland River at Wallins Creek, Harlan County, Kentucky; and,

Whereas, the said bridge forms a part of the public highway of the Commonwealth of Kentucky, and same is maintained and kept in repair by the Commonwealth of Kentucky and its employees:

Now, in order to determine by judicial action the question of negligence causing said injuries as aforesaid,

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Malinda Saylor, in her own right and name, be and she is hereby empowered and authorized to file and prosecute appropriate actions against the Commonwealth of Kentucky for the purpose of determining the liabiilty of the Commonwealth of Kentucky, for such injuries, if any there be.

§ 2. Such actions may be brought in any circuit court of the Commonwealth of Kentucky, which may have jurisdiction of such matters, or may be joined with any action or any actions pending, wherein circuit courts have competent jurisdiction of the subject matter and parties.

§ 3. Said suit for Malinda Saylor for personal injuries received by her shall be for any sum not exceeding $5,000.00 and in event any judgment is recovered by said Malinda Saylor for personal injuries received by her or same is compromised or settled, same shall be paid by the Auditor of Public Accounts by warrants drawn on the State Treasurer and paid out of the general fund.

§ 4. Either party to said suit may appeal from any judgment, which may be entered therein as in any other civil suit, and the case may be settled and adjusted by and with the consent and approval of the Attorney General of Kentucky in the same way as any other civil case may be settled or adjusted.

Ordered that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Wallace Brown	J. A. Coleman
H. T. Baker	Dr. R. A. Byers	Roy Conway
W. T. Baker	V. O. Chandler	Harry Davis
B. F. Bedford	Floyd Clark	Sam Dever
Reuben J. Boling	Roscoe Claxon	Howard G. Early
Ollie J. Bowen	George S. Clay	Garland Embry

Walter R. Fannin	J. L. McDermott	A. W. Ross
James Garnett, Jr.	Lloyd MacDonald	Ray O. Shehan
G. W. Garrett	W. F. McGary	Dr. B. F. Shields
Ferd A. Gnau	C. S. Matherly	P. L. Sidebottom
Ben Grogan	D. T. Matlack	Chester D. Silvers
Jas. T. Hamilton	Duke Mayfield	Bruce Sloan
C. L. Hammons	W. H. Miller	H. C. Steely
W. L. Hampton, Jr.	W. E. Mull	Henry Stewart
Thomas W. Hines	J. C. Nickell	Dr. H. S. Swope
Price Holbrook	Russell O'Neill	W. R. Tapp
Clyde S. Howard	Mel Petry	J. J. Thomas
J. H. Jones	A. W. Pfeiffer	R. Van Bever, Jr.
O. C. Jones	J. C. Ramey	S. J. Wagner
R. T. Kirkman	Hobart Rayburn	Joseph L. Wall
J. F. Ladd	Harry C. Records	Henry Ward
Leslie Larrimore	L. K. Rice	Charles Wylie
Robert E. Lee	Wade H. Riley	
T. B. McConnell	John C. Robinson	—70

Those who voted in the negative were—

Chas. P. Farnsley	Tyler Munford	W. T. Rollo
John M. Hunnicut		—4

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a resolution entitled:

S. Res. 38. Resolution authorizing James William May to sue the Commonwealth of Kentucky and the State Highway Commission or either.

Said resolution is as follows, viz.:

Whereas, on August 22, 1935, at or near Blue Curve on Highway No. 60, in Livingston County, Kentucky, on the public road between Smithland and Salem in a collision between a truck owned by the State of Kentucky, then being operated, managed, controlled and used by an employee of the State of Kentucky, and an automobile owned and operated by James William May, the said James William May was critically injured and his said automobile destroyed:

Now, in order to determine by judicial action the question of negligence causing said action aforesaid,

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

That James William May in his own right and name be and he is hereby empowered and authorized to sue the Commonwealth of Kentucky and the State Highway Commission, or either, in the Circuit Court of the County of his residence for the purpose of determining the liability of the Commonwealth of Kentucky for such injuries, if any there be.

Ordered that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Reuben J. Boling	V. O. Chandler
H. T. Baker	Ollie J. Bowen	Floyd Clark
W. T. Baker	Wallace Brown	Roscoe Claxon
B. F. Bedford	Dr. R. A. Byers	George S. Clay

J. A. Coleman	Leslie Larrimore	Wade H. Riley
Roy Conway	Robert E. Lee	John C. Robinson
Harry Davis	T. B. McConnell	A. W. Ross
Sam Dever	J. L. McDermott	Ray O. Shehan
Howard G. Early	Lloyd MacDonald	Dr. B. F. Shields
Garland Embry	W. F. McGary	P. L. Sidebottom
Walter R. Fannin	C. S. Matherly	Chester D. Silvers
James Garnett, Jr.	D. T. Matlack	Bruce Sloan
G. W. Garrett	Duke Mayfield	H. C. Steely
Ferd A. Gnau	W. H. Miller	Henry Stewart
Ben Grogan	John B. Mollett	Dr. H. S. Swope
Jas. T. Hamilton	W. E. Mull	W. R. Tapp
C. L. Hammons	J. C. Nickell	J. J. Thomas
W. L. Hampton, Jr.	Russell O'Neill	R. Van Bever, Jr.
Thomas W. Hines	Mel Petry	S. J. Wagner
Price Holbrook	A. W. Pfeiffer	Joseph L. Wall
Clyde S. Howard	J. C. Ramey	Henry Ward
J. H. Jones	Hobart Rayburn	Charles Wylie
O. C. Jones	Harry C. Records	
J. F. Ladd	L. K. Rice	—70

Those who voted in the negative were—

Chas. P. Farnsley	Tyler Munford	W. T. Rollo
John M. Hunnicut		—4

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a resolution entitled:

S. Res. 44. A Joint Resolution authorizing James Lewis, an infant, by his next friend, and Mrs. Ruth Lewis, his mother,

to sue the Commonwealth of Kentucky and the State Highway Commission, or either.

Said resolution is as follows, viz.:

Whereas, on the 26th day of July, 1935, in Jefferson County, Kentucky, near what is known as Schuff's Lane, when said infant, James Lewis, was driving a motor vehicle of Ruth Lewis, by reason of the gross negligence and gross carelessness of the servant and agent of the State Highway Commission a truck of said highway commission was caused to collide with and injure said James Lewis, resulting in disfigurement; and,

Whereas, said motor vehicle he was then and there op erating was the property of Mrs. Ruth Lewis, his mother, and same was demolished; and,

Whereas, it is the contention of James L. Lewis and Mrs. Ruth Lewis, that said injuries to each of them was caused by the negligence and carelessness of the State Highway Commission of the Commonwealth of Kentucky:

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

That said James Lewis and his mother, Mrs. Ruth Lewis, be and they are hereby authorized and permitted to sue the Commonwealth of Kentucky, or the State Highway Commission, or either, in the Jefferson Circuit Court, the county of their residence, and in which said accident and injuries occurred, for damages for personal injuries to the said James Lewis, infant, and for damage and injury to the machine that he was then and there driving belonging to Mrs. Ruth Lewis; that the said James Lewis by his next friend may sue for his personal injuries, loss of earning power, loss of time from work, physical suffering, and for hospital and medical bills, and the said Mrs. Ruth Lewis, the owner of said machine, may sue for the recovery for damages inflicted upon it. In the event said suits are compromised or judgment rendered,

the same shall be paid by the Auditor of Public Accounts for the Commonwealth of Kentucky by warrant drawn on the State Treasury and paid out of the General Fund.

Either party to said suits may appeal from any judgment that may be entered herein, as in any other civil suit, and the case may be settled or adjusted with consent and approval of the Attorney General of the Commonwealth of Kentucky in the same way as any other civil case.

Ordered that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Garland Embry	T. B. McConnell
H. T. Baker	Walter R. Fannin	J. L. McDermott
W. T. Baker	James Garnett, Jr.	Lloyd MacDonald
B. F. Bedford	G. W. Garrett	W. F. McGary
Reuben J. Boling	Ferd A. Gnau	C. S. Matherly
Ollie J. Bowen	Ben Grogan	D. T. Matlack
Wallace Brown	Jas. T. Hamilton	Duke Mayfield
Dr. R. A. Byers	C. L. Hammons	W. H. Miller
V. O. Chandler	W. L. Hampton, Jr.	John B. Mollett
Floyd Clark	Thomas W. Hines	W. E. Mull
Roscoe Claxon	Price Holbrook	J. C. Nickell
George S. Clay	Clyde S. Howard	Russell O'Neill
J. A. Coleman	J. H. Jones	Mel Petry
Roy Conway	O. C. Jones	A. W. Pfeiffer
Harry Davis	J. F. Ladd	J. C. Ramey
Sam Dever	Leslie Larrimore	Hobart Rayburn
Howard G. Early	Robert E. Lee	Harry C. Records

L. K. Rice	Chester D. Silvers	R. Van Bever, Jr.
Wade H. Riley	Bruce Sloan	S. J. Wagner
John C. Robinson	H. C. Steely	Joseph L. Wall
A. W. Ross	Henry Stewart	Henry Ward
Ray O. Shehan	Dr. H. S. Swope	Charles Wylie
Dr. B. F. Shields	W. R. Tapp	
P. L. Sidebottom	J. J. Thomas	—70

Those who voted in the negative were—

Chas. P. Farnsley	Tyler Munford	W. T. Rollo
John M. Hunnicut		—4

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a resolution entitled:

S. Res. 46. Resolution authorizing William C. Wells and Mary Helen Wells, his wife, and Matt Wells, who reside in Louisville, Jefferson County, Kentucky, to file suits against the Commonwealth of Kentucky and the State Highway Commission, or either.

Said resolution is as follows, viz.:

Whereas, on November 14, 1934, on Highway 60, in Breckinridge County, Kentucky, between Harned and Hardinsburg, William C. Wells and his wife, Mary Helen Wells, and his father, Matt Wells, were riding in an automobile owned by William C. Wells, which automobile was run into and collided with by a truck owned by the Commonwealth of Kentucky,

and then being operated and used by an employee of the State Highway Department and working upon the state highway, thereby causing them to be severely and critically injured and the automobile of said William C. Wells to be damaged:

Now, Therefore, in order that they may determine their rights by judicial action, and the question of negligence, if any, causing said injuries to each of them, may be determined by judicial action,

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

§ 1. That William C. Wells, in his own right and name, Mary Helen Wells, in her own right and name, and Matt Wells, in his own right and name, be and they are hereby empowered and authorized to file and prosecute suits, severally and respectively, against the Commonwealth of Kentucky, and the State Highway Commission, or either, for the purpose of determining the liability of the Commonwealth of Kentucky, and the State Highway Commission, or either, for such injuries and damage, if any, there be, arising from above stated facts and in the event any judgment in either action is recovered by said William C. Wells, Mary Helen Wells, and Matt Wells, or either of them, or same are compromised and settled, judgments or amount agreed on in compromise, if any, shall be paid by the Auditor of Public Accounts, by warrant drawn on the State Treasury and paid out of the general fund.

§ 2. Such actions may be brought in any circuit court of the Commonwealth of Kentucky, which has jurisdiction of the subject matter, provided that any such action shall be instituted within one year from the date this resolution becomes effective.

§ 3. Either party to any suit may appeal from any judgment which may be entered therein, as in any other civil suit and the cases may be settled and adjusted with the con-

sent and approval of the Attorney General of Kentucky, in the same way as any other civil case.

Ordered that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	C. L. Hammons	J. C. Ramey
H. T. Baker	W. L. Hampton, Jr.	Hobart Rayburn
W. T. Baker	Thomas W. Hines	Harry C. Records
B. F. Bedford	Price Holbrook	L. K. Rice
Reuben J. Boling	Clyde S. Howard	Wade H. Riley
Ollie J. Bowen	J. H. Jones	John C. Robinson
Wallace Brown	O. C. Jones	A. W. Ross
Dr. R. A. Byers	J. F. Ladd	Ray O. Shehan
V. O. Chandler	Leslie Larrimore	Dr. B. F. Shields
Floyd Clark	Robert E. Lee	P. L. Sidebottom
Roscoe Claxon	T. B. McConnell	Chester D. Silvers
George S. Clay	J. L. McDermott	Bruce Sloan
J. A. Coleman	Lloyd MacDonald	H. C. Steely
Roy Conway	W. F. McGary	Henry Stewart
Harry Davis	C. S. Matherly	Dr. H. S. Swope
Sam Dever	D. T. Matlack	W. R. Tapp
Howard G. Early	Duke Mayfield	J. J. Thomas
Garland Embry	W. H. Miller	R. Van Bever, Jr.
Walter R. Fannin	John B. Mollett	S. J. Wagner
James Garnett, Jr.	W. E. Mull	Joseph L. Wall
G. W. Garrett	J. C. Nickell	Henry Ward
Fred A. Gnau	Russell O'Neill	Charles Wylie
Ben Grogan	Mel Petry	
Jas. T. Hamilton	A. W. Pfeiffer	—70

Those who voted in the negative were—

Chas. P. Farnsley Tyler Munford W. T. Rollo
John M. Hunnicut —4

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a resolution entitled:

S. Res. 40. A Resolution, authorizing Mrs. Alice Maher to sue the Commonwealth of Kentucky, and the Kentucky Emergency Relief Administration, or its successor, or either of them, and the Statute of Limitations not to apply until from the passage of this Resolution.

Said resolution is as follows, viz.:

Whereas, on the 24th day of October, 1935, and prior thereto, Mrs. Alice Maher was employed by the Kentucky Emergency Relief Administration in the conduct of its operations; and,

Whereas, said Mrs. Alice Maher while in the performance of her duties was injured through the negligence of some person in the operation of the elevator in the building in which she was employed, and incurred expenses in the sum of Three Hundred Eighty-Two and 95/100 ($382.95) Dollars for the treatment of said injuries: Therefore,

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

That Mrs. Alice Maher, of Newport, Campbell County, Kentucky, be and she is hereby authorized, empowered, and

permitted, to sue the Commonwealth of Kentucky, and the Kentucky Emergency Relief Administration or its successor, or either of them, in the Campbell Circuit Court for such damages as she may have sustained, if any, by reason of being injured by the falling or operation of the elevator and elevator gate in the building at Ninth and Orchard Streets in the city of Newport, Campbell County, Kentucky, and which building was leased by the Kentucky Emergency Relief Administration for the conduct of its business. And caused by the negligence of the agents, servants, and employees of the Commonwealth of Kentucky, or the Kentucky Emergency Relief Administration, or its successors, or either of them.

And in such suit she shall be permitted to show all the facts and circumstances as to whether or not the employees or any employee of the Commonwealth of Kentucky, or the Kentucky Emergency Relief Administration were negligent in reference to said elevator and elevator gate and shaft, or negligent in any manner in the care and operation of the elevator in said building, on the part of the Commonwealth of Kentucky, or the Kentucky Emergency Relief Administration, their agents, servants, and employees; and if a jury shall decide that there was negligence on the part of any such employee or employees of the Commonwealth of Kentucky or the Kentucky Emergency Relief Administration, and that as a direct and proximate result thereof said Mrs. Alice Maher received her injuries, then she may recover of the Commonwealth of Kentucky, or the Kentucky Emergency Relief Administration, or both, such sum or sums as will fairly and reasonably compensate her for the damage sustained, not exceeding Five Hundred ($500.00) Dollars.

In the event a judgment is recovered by said Mrs. Alice Maher in said suit as damages same shall be paid by the Auditor of Public Accounts by warrant drawn on the State Treasurer. The Commonwealth of Kentucky and the Kentucky Emergency Relief Administration, or its successors, or

either of them, and the said Mrs. Alice Maher shall have the right to appeal as in any other civil case. The recovery herein shall be limited to and not exceed Five Hundred ($500.00) Dollars.

Mr. Silvers offered the following amendment to said resolution, viz.:

Said amendment was agreed to.

Amend S. Res. 40 by striking out on lines 10 and 11 the following words "through the negligence of some person in the operation of the elevator".

Ordered that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title only and passed, as amended.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	J. A. Coleman	C. L. Hammons
H. T. Baker	Roy Conway	W. L. Hampton, Jr.
W. T. Baker	Harry Davis	Thomas W. Hines
B. F. Bedford	Sam Dever	Price Holbrook
Reuben J. Boling	Howard G. Early	Clyde S. Howard
Ollie J. Bowen	Garland Embry	J. H. Jones
Wallace Brown	Walter R. Fannin	O. C. Jones
Dr. R. A. Byers	James Garnett, Jr.	J. F. Ladd
V. O. Chandler	G. W. Garrett	Leslie Larrimore
Floyd Clark	Fred A. Gnau	Robert E. Lee
Roscoe Claxon	Ben Grogan	T. B. McConnell
George S. Clay	Jas. T. Hamilton	J. L. McDermott

Lloyd MacDonald	J. C. Ramey	H. C. Steely
W. F. McGary	Hobart Rayburn	Henry Stewart
C. S. Matherly	Harry C. Records	Dr. H. S. Swope
D. T. Matlack	L. K. Rice	W. R. Tapp
Duke Mayfield	Wade H. Riley	J. J. Thomas
W. H. Miller	John C. Robinson	R. Van Bever, Jr.
John B. Mollett	A. W. Ross	S. J. Wagner
W. E. Mull	Ray O. Shehan	Joseph L. Wall
J. C. Nickell	Dr. B. F. Shields	Henry Ward
Russell O'Neill	P. L. Sidebottom	Charles Wylie
Mel Petry	Chester D. Silvers	
A. W. Pfeiffer	Bruce Sloan	—70

Those who voted in the negative were—

Chas. P. Farnsley	Tyler Munford	W. T. Rollo
John M. Hunnicut		—4

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said resolution was adopted as amended, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

A message was received from the Senate announcing that they had passed a bill which originated in this House, entitled:

H. B. 573. An Act proposing an amendment to the Constitution.

With an amendment thereto by way of Substitute therefor, as proposed by the Senate.

(For bill see House Journal of February 7.)

Said Substitute as proposed by the Senate, is as follows, viz.:

H. B. 573. An Act, proposing an amendment to the Constitution to be submitted to the electorate; which amendment authorizes the General Assembly to reorganize government within the territorial confines of counties under power and limitations therein set out. To be known as the Garnett-Mayer Act.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That upon the concurrence of three-fifths of all members elected to each House of the General Assembly of the Commonwealth of Kentucky, the ayes and nays being taken thereon and entered in full in their respective journals, that there be and hereby is proposed an amendment to the stitution of the Commonwealth of Kentucky, which amendment reads as follows:

Constitutional Amendment

Within the territorial confines of counties (as now existing or as hereafter established) the General Assembly may by legislation of state-wide application, or of application according to classification based on population, retain, modify, and consolidate any and/or all governmental bodies, offices, agencies, and institutions; may enlarge, curtail, modify, consolidate, redefine and redistribute the powers, duties, functions, and jurisdiction of governmental bodies, offices, agencies, institutions and courts, and may provide the number of judges for such courts; and may abolish all courts inferior to the Circuit Court and may set up new ones in their stead; and may provide the method of selection of all officers, their compensation and the means and method of its payment. Provided, no legislation hereunder shall affect any elected officer during his term of office.

The provisions of this Constitution are retained limiting the powers of public corporations and public quasi-corporations to tax, to incur debts, and to impose preexisting debts on territory theretofore free therefrom or to release from preexisting debts territory theretofore liable therefor; except that the General Assembly, in creating any new public corporation and/or quasi-corporation may classify it by population in respect to taxing and borrowing powers as cities are classified by this constitution.

§ 2. This amendment shall be published and submitted to the voters of the State for their ratification or rejection at the time and in the manner provided under Section 256 and 257 of the Constitution of the Commonwealth of Kentucky and under Section 1459 of Baldwin's Revised Edition of Carroll's Kentucky Statutes of 1930, Official Edition; provided that this amendment shall be submitted on a separate ballot.

Mr. Hammons moved that the consideration of said bill with amendment thereto be made a Special Order of the Day, for Saturday, February 15, at two o'clock P. M.

Said motion was agreed to.

Mr. McDermott moved that Master Tom Campbell be appointed an Honorary Page of the House.

Said motion was agreed to.

Dr. Shields moved that the House do now recess until seven-thirty o'clock P. M.

Said motion was agreed to.

And then the House recessed.

NIGHT SESSION

The hour of seven-thirty o'clock P. M. having arrived, the Speaker resumed the Chair and called the House to order.

Mr. Pfeiffer moved that the Rules of this House be suspended for the purpose of offering a resolution.

Said motion was agreed to.

Thereupon Mr. Pfeiffer offered the following resolution, viz.:

Whereas, there are only a few working hours left to consider bills; and,

Whereas, the newspapers carry very little of the explanations which members offer for their votes; and,

Whereas, we will have many opportunities during the coming years to explain to the people back home as to why we voted as we did vote: Therefore,

Be it Resolved, That the members of this body cease explaining their votes during the roll call during the remainder of this session.

Said resolution was adopted.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 4. An Act to promote the objects of the National Housing Act by authorizing banks, savings banks, trust companies, insurance companies, building and loan associations, credit unions, and trustees and other fiduciaries to make loans eligible for insurance under the National Housing Act, and by authorizing banks, savings banks, trust companies, insurance companies, building and loan associations, credit unions, trustees and other fiduciaries, the Commonwealth of Ken-

tucky and any of its political subdivisions and any agency or instrumentality thereof, to invest in mortgages insured, and debentures issued, by the Federal Housing Administrator, and to invest in securities of National Mortgage Associations, and to use mortgages insured or debentures issued by the Federal Housing Administrator, and debentures issued by National Mortgage Association as collateral or deposit security where required by any statute of this State, and declaring an emergency.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Banks, savings banks, trust companies, insurance companies, building and loan associations, credit unions, and trustees, guardians, executors, administrators and other fiduciaries, subject to the laws of this state, are authorized:

(a) To make such loans and advances of credit and purchases of obligations representing loans and advances of credit as are insured by the Federal Housing Adminstrator pursuant to the provisions of Title I of the National Housing Act, and to obtain such insurance.

(b) To make such loans, secured by real property or leasehold, as the Federal Housing Administrator insures or makes a commitment to insure pursuant to the provisions of Title II of the National Housing Act, and to obtain such insurance.

§ 2. It shall be lawful for banks, savings banks, trust companies, insurance companies, building and loan associations, credit unions, trustees, guardians, executors, administrators and other fiduciaries, subject to the laws of this state, the State of Kentucky and any of its political subdivisions, or any agency or instrumentality thereof, to invest their funds and the moneys in their custody or possession, eligible for investment, in notes or bonds secured by mort-

gage or trust deed insured by the Federal Housing Administrator, and in debentures issued by the Federal Housing Administrator pursuant to Title II of the National Housing Act, and also in securities issued by National Mortgage Associations.

§ 3. Wherever securities must be furnished by any depository in the State of Kentucky as security for the deposit of any funds whatsoever, or wherever securities must be deposited with any official of the State of Kentucky pursuant to any statute of this State, mortgages insured and debentures issued by the Federal Housing Administrator and debentures issued by National Mortgage Associations shall be considered eligible securities for such purposes.

§ 4. No law of this state requiring security upon which loans or investments may be made, or prescribing the nature, amount or form of such security, or prescribing or limiting interest rates upon loans or investments, or limiting investments of capital or deposits, or prescribing or limiting the period for which loans or investments may be made, shall be deemed to apply to loans or investments made pursuant to the provisions of this Act.

§ 5. This Act shall be construed as powers additional to and not in derrogation of existing laws.

§ 6. Whereas, the Congress of the United States has enacted a law entitled the "National Housing Act" to relieve unemployment by providing a system of mutual mortgage insurance and encouraging the construction of new homes and the improving of housing standards and conditions, and to prevent a recurrence of a collapse of the mortgage market and the distressed selling of homes by providing for national mortgage associations to assist in refinancing mortgages and to furnish a liquid market therefor, and whereas many investing institutions organized under the laws of this State are not authorized to invest in notes or bonds secured by mortgage or trust deed insured by the Federal Housing Admin-

istrator or in securities of national mortgage associations, and the market for said notes, bonds and securities is limited by the absence of such authority, and whereas the said notes, bonds and other securities will provide a safe and readily marketable investment for all investors of this State by reason of the insurance fund and the supervision provided for by the National Housing Act, an emergency is hereby declared to exist and this Act shall become effective immediately upon its passage and approval by the Governor.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen	Sam Dever	Thomas W. Hines
Henry H. Allen	Stanley S. Dickson	Price Holbrook
H. T. Baker	George W. Dunlap	Clyde S. Howard
W. T. Baker	Howard G. Early	John M. Hunnicut
Reuben J. Boling	Garland Embry	J. H. Jones
Douglas Bolling	Walter R. Fannin	O. C. Jones
Dr. R. A. Byers	T. P. Fitzpatrick	R. T. Kirkman
Jas. C. Carter	H. Myer Garner	J. F. Ladd
V. O. Chandler	James Garnett, Jr.	Robert E. Lee
Floyd Clark	G. W. Garrett	M. T. McCarthy
Roscoe Claxon	Fred A. Gnau	T. B. McConnell
George S. Clay	Eugene Gough	J. L. McDermott
J. A. Coleman	Ben Grogan	Lloyd MacDonald
Roy Conway	Jas. T. Hamilton	John Marshall
Herbert Cook	C. L. Hammons	D. T. Matlack
Harry Davis	W. L. Hampton, Jr.	W. H. Miller

John B. Mollett	Wade H. Riley	Henry Stewart
W. E. Mull	Joe E. Robinson	Dr. H. S. Swope
Tyler Munford	John C. Robinson	J. J. Thomas
J. C. Nickell	W. T. Rollo	R. Van Bever, Jr.
Russell O'Neill	A. W. Ross	S. J. Wagner
Mel Petry	Carl Scheben	Joseph L. Wall
A. W. Pfeiffer	Ray O. Shehan	Henry Ward
J. C. Ramey	Dr. B. F. Shields	W. G. Williams
Harry C. Records	P. L. Sidebottom	Charles Wylie
L. K. Rice	H. C. Steely	—77

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 66. An Act to amend and re-enact Section 2739g-94, Supplement to Carroll's Kentucky Statutes 1933, relating to jurisdiction of offenses for the trial of violations of the Motor Vehicles Law.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 2739g-94, Supplement to Carroll's Kentucky Statutes 1933, be amended and re-enacted so as to read as follows:

Quarterly courts and the judges thereof, and city courts of cities of the first, second, third, fourth, fifth and sixth classes, and the judges thereof, shall have concurrent jurisdiction with circuit courts in the trial of all offenses under

this act committed within their respective jurisdictions, and jurisdiction of such offenses is hereby confined and restricted to quarterly courts and circuit courts of this Commonwealth. Said courts, other than circuit courts shall always be open for the trial of such offenses.

Mr. Garnett moved that said bill be laid on the table.

Said motion was agreed to.

The yeas and nays being required thereon by Messrs. Garnett and O. C. Jones were as follows, viz.:

Those who voted in the affirmative were—

C. W. Anderson, Jr.	Jas. T. Hamilton	J. C. Nickell
H. T. Baker	C. L. Hammons	Mel Petry
W. T. Baker	W. L. Hampton, Jr.	A. W. Pfeiffer
Reuben J. Boling	Thomas W. Hines	Hobart Rayburn
Douglas Bolling	Price Holbrook	L. K. Rice
Dr. R. A. Byers	Clyde S. Howard	W. T. Rollo
Jas. C. Carter	John M. Hunnicut	Ray O. Shehan
V. O. Chandler	J. H. Jones	H. C. Steely
J. A. Coleman	Robert E. Lee	Henry Stewart
Howard G. Early	M. T. McCarthy	Dr. H. S. Swope
Garland Embry	T. B. McConnell	W. R. Tapp
Walter R. Fannin	Lloyd MacDonald	Joseph L. Wall
James Garnett, Jr.	Elmer McGlothen	Henry Ward
G. W. Garrett	W. H. Miller	W. G. Williams
Fred A. Gnau	John B. Mollett	
Eugene Gough	W. E. Mull	—46

Those who voted in the negative were—

F. T. Allen	Floyd Clark	Stanley S. Dickson
Henry H. Allen	Roscoe Claxon	George W. Dunlap
B. F. Bedford	George S. Clay	H. Myer Garner
Ollie J. Bowen	Herbert Cook	Ben Grogan
Wallace Brown	Sam Dever	O. C. Jones

R. T. Kirkman	J. C. Ramey	Chester D. Silvers
J. F. Ladd	Harry C. Records	Bruce Sloan
J. L. McDermott	Joe E. Robinson	J. J. Thomas
John Marshall	John C. Robinson	R. Van Bever, Jr.
D. T. Matlack	A. W. Ross	S. J. Wagner
Tyler Munford	Carl Scheben	Charles Wylie
Rodes K. Myers	Dr. B. F. Shields	
Russell O'Neill	P. L. Sidebottom	—37

And so said bill was tabled.

The House took up for consideration from the Orders of the day a bill entitled:

S. B. 25. An Act to repeal Section 341 and to amend and re-enact Section 340 of Article 5, Chapter II, Title IX of the Kentucky Code of Practice in civil cases, relating to new trials.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 341 of Article 5, Chapter II, Title IX of the Kentucky Code of Practice in civil cases, be repealed, and that Section 340 be amended and re-enacted by adding to subsection 4 of Section 340, after the word "excessive" the words "or inadequate" and adding thereto after the word "prejudice" the words "or in disregard of the evidence or the instructions of the court"; and by striking out the last fourteen words of subsection 5 of Section 340. So that after Section 340 is so amended and re-enacted it shall read as follows:

"Section 340. A new trial is a re-examination in the same court of an issue of fact after a verdict by a jury or a decision by the court. The former verdict or decision may be vacated and a new trial be granted on the application of the party aggrieved, for any of the following causes affecting materially his substantial rights.

"1. Irregularity in the proceedings of the court, jury or prevailing party, or any order of the court, or abuse of discretion, by which the party was prevented from having a fair trial.

"2. Misconduct of jury, of the prevailing party, or of his attorney.

"3. Accident or surprise which ordinary prudence could not have guarded against.

"4. Excessive or inadequate damages, appearing to have been given under the influence of passion or prejudice or in disregard of the evidence or the instructions of the court.

"5. Error in the assessment of the amount of recovery whether too large or too small.

"6. That the verdict or decision is not sustained by sufficient evidence, or is contrary to law.

"7. Newly discovered evidence, material for the party applying, which he could not, with reasonable diligence, have discovered and produced at the trial.

"8. Error of law occurring at the trial and excepted to by the party making the application."

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were--

F. T. Allen	B. F. Bedford	Wallace Brown
Henry H. Allen	Reuben J. Boling	Dr. R. A. Byers
H. T. Baker	Douglas Bolling	Jas. C. Carter
W. T. Baker	Ollie J. Bowen	V. O. Chandler

Roscoe Claxon
J. A. Coleman
Roy Conway
Herbert Cook
Sam Dever
Howard G. Early
Walter R. Fannin
H. Myer Garner
James Garnett, Jr.
G. W. Garrett
Ferd A. Gnau
Eugene Gough
Ben Grogan
Jas. T. Hamilton
W. L. Hampton, Jr.
Thomas W. Hines
Price Holbrook
Clyde S. Howard
John M. Hunnicut
J. H. Jones
O. C. Jones
R. T. Kirkman
J. F. Ladd
Leslie Larrimore
Robert E. Lee
T. B. McConnell
J. L. McDermott
Lloyd MacDonald
Elmer McGlothen
D. T. Matlack
W. H. Miller
John B. Mollett
W. E. Mull
Russell O'Neill
Mel Petry
A. W. Pfeiffer
J. C. Ramey
Hobart Rayburn
Harry C. Records
L. K. Rice
Wade H. Riley
W. T. Rollo
A. W. Ross
Carl Scheben
Ray O. Shehan
Dr. B. F. Shields
P. L. Sidebottom
Bruce Sloan
H. C. Steely
Henry Stewart
Dr. H. S. Swope
W. R. Tapp
R. Van Bever, Jr.
S. J. Wagner
Joseph L. Wall
W. G. Williams
—68

Those who voted in the negative were—

C. W. Anderson, Jr.
Floyd Clark
George W. Dunlap
C. L. Hammons
M. T. McCarthy
J. J. Thomas
Charles Wylie
—7

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the day a bill entitled:

S. B. 70. An Act repealing and re-enacting Section 1596a-14, Carroll's Kentucky Statutes, 1930 Revised Edition,

providing for the compensation of county election commissioners in the several counties of the Commonwealth.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 1596a-14, Carroll's Kentucky Statutes, 1930 Revised Edition, is hereby repealed and re-enacted so that, when re-enacted, said section shall read as follows:

"The compensation to be paid members of the County Boards of Election Commissioners in the several counties of this Commonwealth for their services in the holding of elections, and in determining the results thereof, shall be fixed by the Fiscal Courts of such counties, and in determining a proper and reasonable allowance for the members of said County Boards of Election Commissioners, the Fiscal Court may take into consideration the number of votes counted by said Board or its assistants, the cost of counting said votes, and the number of days necessary for said Board to be in session in the performance of it duties.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Reuben J. Boling	Dr. R. A. Byers
C. W. Anderson, Jr.	Douglas Bolling	Jas. C. Carter
H. T. Baker	Ollie J. Bowen	V. O. Chandler
B. F. Bedford	Wallace Brown	Roscoe Claxon

George S. Clay	J. H. Jones	A. W. Pfeiffer
J. A. Coleman	O. C. Jones	J. C. Ramey
Roy Conway	R. T. Kirkman	Hobart Rayburn
Herbert Cook	J. F. Ladd	Harry C. Records
Harry Davis	Leslie Larrimore	L. K. Rice
Sam Dever	Robert E. Lee	Wade H. Riley
Stanley S. Dickson	M. T. McCarthy	W. T. Rollo
Garland Embry	T. B. McConnell	Carl Scheben
Walter R. Fannin	J. L. McDermott	Ray O. Shehan
T. P. Fitzpatrick	Lloyd MacDonald	Dr. B. F. Shields
James Garnett, Jr.	Elmer McGlothen	P. L. Sidebottom
G. W. Garrett	John Marshall	Chester D. Silvers
Ferd A. Gnau	D. T. Matlack	Henry Stewart
Eugene Gough	John B. Mollett	Dr. H. S. Swope
Ben Grogan	W. E. Mull	W. R. Tapp
Jas. T. Hamilton	Tyler Munford	J. J. Thomas
W. L. Hampton, Jr.	Rodes K. Myers	S. J. Wagner
Price Holbrook	J. C. Nickell	W. G. Williams
Clyde S. Howard	Russell O'Neill	Charles Wylie
John M. Hunnicut	Mel Petry	

—71

Those who voted in the negative were—

F. T. Allen	Thomas W. Hines	—2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the day a bill entitled:

S. B. 7. An Act to repeal Section 3745, Kentucky Statutes, entitled "Officers not eligible to seat in Legislature."

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 3745 of the Kentucky Statutes, entitled, "Officers not eligible to seat in Legislature," which is in words and figures as follows:

"A person holding an office, post or employment under this state or the United States, which is incompatible with a seat in the legislature, shall not be voted for as Senator or Representative until he has resigned his office, post or employment nor until a duplicate of his resignation has been filed in the clerk's office of the court of the county in which he resides; and all votes given for him before such resignation is so filed shall be void."

—be and the same is hereby repealed.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	J. A. Coleman	Eugene Gough
C. W. Anderson, Jr.	Roy Conway	Ben Grogan
H. T. Baker	Sam Dever	C. L. Hammons
W. T. Baker	George W. Dunlap	W. L. Hampton, Jr.
B. F. Bedford	Howard G. Early	Thomas W. Hines
Douglas Bolling	Walter R. Fannin	Price Holbrook
Wallace Brown	H. Myer Garner	Clyde S. Howard
Dr. R. A. Byers	James Garnett, Jr.	John M. Hunnicut
V. O. Chandler	G. W. Garrett	J. H. Jones
Roscoe Claxon	Ferd A. Gnau	O. C. Jones

R. T. Kirkman	W. E. Mull	Ray O. Shehan
J. F. Ladd	J. C. Nickell	Dr. B. F. Shields
Leslie Larrimore	Russell O'Neill	P. L. Sidebottom
Robert E. Lee	Mel Petry	Bruce Sloan
M. T. McCarthy	A. W. Pfeiffer	H. C. Steely
T. B. McConnell	J. C. Ramey	Henry Stewart
J. L. McDermott	Hobart Rayburn	Dr. H. S. Swope
Lloyd MacDonald	Harry C. Records	W. R. Tapp
W. F. McGary	L. K. Rice	J. J. Thomas
Elmer McGlothen	Wade H. Riley	R. Van Bever, Jr.
D. T. Matlack	W. T. Rollo	Joseph L. Wall
Duke Mayfield	A. W. Ross	
John B. Mollett	Carl Scheben	—67

Those who voted in the negative were—

F. T. Allen	S J. Wagner	Charles Wylie	
Herbert Cook			—4

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the day a bill entitled:

S. B. 76. An Act to repeal and re-enact Section 2043-12, Carroll's Kentucky Statutes, 1930 Edition, the same being Section 12 of Chapter 68 of the Acts of the General Assembly of 1930 and entitled, "An Act concerning the manner of commitment of incompetent veterans of the World War who are beneficiaries of World War Veterans' Act as amended; and regulating the appointment, defining the duties and governing the actions of guardians and committees for beneficiaries of the World War Veterans' Act, as amended, and the World

War Adjusted Compensation Act, as amended,'' and declaring an emergency to exist.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 2043-12, Supplement Carroll's Kentucky Statutes, 1930 Edition, being Section 12 of Chapter 68 of the Acts of the General Assembly, 1930, relating to the manner of commitment of incompetent veterans of the World War who are beneficiaries of the World War Veterans' Act as amended; and regulating the appointment, defining the duties and governing the actions of guardians and committees for beneficiaries of the World War Veterans' Act, as amended, and the World War Adjusted Compensation Act, as amended, be and the same is hereby repealed, amended and re-enacted, so that such section when thus repealed, amended and re-enacted shall read as follows:

Section 12. Every guardian or committee, who has or is receiving funds from the Veterans' Administration, shall, before investing such funds of the estate, obtain the prior order of the court and with such prior order shall invest the funds of the estate in such manner and in such securities or annuities, in which the guardian or committee has no interest, as allowed by law.

All laws or parts of laws in conflict herewith are hereby repealed.

Whereas, any delay in the privilege of so investing the funds of a veteran may result in a loss of income to such veteran, an emergency is hereby declared to exist, and this Act shall take effect upon its passage and approval by the Governor.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of

said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen	Ben Grogan	J. C. Nickell
W. T. Baker	Jas. T. Hamilton	Mel Petry
B. F. Bedford	C. L. Hammons	A. W. Pfeiffer
Douglas Bolling	W. L. Hampton, Jr.	J. C. Ramey
Ollie J. Bowen	Thomas W. Hines	Hobart Rayburn
Wallace Brown	Price Holbrook	Harry C. Records
Dr. R. A. Byers	Clyde S. Howard	L. K. Rice
Jas. C. Carter	John M. Hunnicut	Wade H. Riley
V. O. Chandler	J. H. Jones	Joe E. Robinson
Floyd Clark	O. C. Jones	W. T. Rollo
Roscoe Claxon	R. T. Kirkman	A. W. Ross
George S. Clay	J. F. Ladd	Carl Scheben
J. A. Coleman	Leslie Larrimore	Ray O. Shehan
Roy Conway	Robert E. Lee	Dr. B. F. Shields
Herbert Cook	M. T. McCarthy	Chester D. Silvers
Harry Davis	T. B. McConnell	Bruce Sloan
Sam Dever	J. L. McDermott	H. C. Steely
Howard G. Early	Lloyd MacDonald	Henry Stewart
Garland Embry	W. F. McGary	Dr. H. S. Swope
Walter R. Fannin	Elmer McGlothen	W. R. Tapp
T. P. Fitzpatrick	D. T. Matlack	J. J. Thomas
H. Myer Garner	Duke Mayfield	R. Van Bever, Jr.
James Garnett, Jr.	W. H. Miller	S. J. Wagner
G. W. Garrett	John B. Mollett	Henry Ward
Ferd A. Gnau	W. E. Mull	L. R. Wells
Eugene Gough	Tyler Munford	Charles Wylie

—78

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

A message was received from the Senate announcing that they had passed a bill which originated in the House, entitled:

H. B. 189. An Act relating to the garnishment of salaries of State, Municipal and School Board employees.

Ordered that said bill be delivered to the Enrolling Clerk of this House.

The House took up for consideration from the Orders of the day a bill entitled:

S. B. 203. An Act to amend and re-enact Section 186c-7 of Carroll's Kentucky Statutes, Baldwin's Revision, Supplement to 1933, relating to the issuance of bonds or other obligations of the county, city, municipality or other taxing districts.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 186c-7 of Carroll's Kentucky Statutes, Baldwin's Revision, Supplement to 1933, relating to bonds or obligations of any county, city, municipality or other taxing district be, and the same is hereby amended and re-enacted so that when so amended and re-enacted it shall read as follows:

In every action instituted for the purpose provided for in Section 1 hereof, no bond or obligation of any county, city, municipality or other taxing district shall be approved by the court until and unless it is alleged and proven by such

county, city, municipality or other taxing district that the indebtedness thereof and for which the bond is intended to evidence, was created and was within the constitutional limitation of the indebtedness thereof, and unless and until the county, city, municipality or other taxing district, shall in appropriate pleading set forth each and every item of indebtedness, created and existing or unpaid and owing by the county, city, municipality or taxing district during the period of time in which the indebtedness was created and for which the proposed bond or bonds is intended to cover. And if it shall appear in such suit or action that the county, city or municipality or taxing district, that the officials in office at the time of the creation of such indebtedness have not had due regard for the finances of the county, city, municipality or other taxing district, during the time in which said indebtedness was created, then the court shall not have the right and power to approve such bond issue. On all disputed issues, in such action or suit, the burden of proof shall be on the county, city, municipality or taxing district: Provided, however, that if and when any judgment is rendered against a county, municipality or taxing district and an action is brought hereunder to refund any indebtedness evidenced by such judgment against a county, city, municipality or other taxing district, a copy of the judgment, pleading and proof in that action shall be made a part of the petition seeking a judgment for the issuance of bonds in conformity with the first judgment, and unless the first judgment purporting to establish such indebtedness, pleadings and evidence clearly establish that the indebtedness of the county, city, municipality or other taxing district does not exceed the constitutional limit provided for in Section 158 of the Constitution of Kentucky, the court shall have no jurisdiction to decree the issuance of such bonds, notwithstanding the judgment first evidenced, declaring the indebtedness thereof. No judgment declaring the amount of such indebtedness in such action shall be received as evidence, in

any court, unless the pleadings and proof upon which it was entered clearly establish that the indebtedness of the county, city, municipality or other taxing unit as shown by such judgment, does not exceed the constitutional limit of the indebtedness thereof as fixed by Section 158 of the Constitution of Kentucky, and this act shall be retroactive and apply to proceedings to fund prior floating indebtedness.

§ 2. Because of numerous efforts throughout the Commonwealth to issue bonds and fund floating indebtedness by counties, municipalities and taxing districts now pending and immediately contemplated, and because of the ease and readiness with which judgments against them, attempting to validate such indebtedness, are obtained without the right of the approving court to exercise the jurisdiction herein conferred, an emergency is declared by which this act shall take effect from and after its enactment and approval by the Governor and be given a retroactive effect.

§ 3. All acts or parts of acts in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Douglas Bolling	V. O. Chandler
H. T. Baker	Ollie J. Bowen	Roscoe Claxon
W. T. Baker	Wallace Brown	George S. Clay
B. F. Bedford	Dr. R. A. Byers	J. A. Coleman
Reuben J. Boling	Jas. C. Carter	Roy Conway

Sam Dever	Leslie Larrimore	Joe E. Robinson
Howard G. Early	Robert E. Lee	John C. Robinson
Garland Embry	M. T. McCarthy	W. T. Rollo
T. P. Fitzpatrick	J. L. McDermott	A. W. Ross
H. Myer Garner	Lloyd MacDonald	Carl Scheben
James Garnett, Jr.	W. F. McGary	Ray O. Shehan
G. W. Garrett	Elmer McGlothen	P. L. Sidebottom
Ferd A. Gnau	D. T. Matlack	Chester D. Silvers
Eugene Gough	Duke Mayfield	Bruce Sloan
Ben Grogan	W. H. Miller	H. C. Steely
Jas. T. Hamilton	W. E. Mull	Henry Stewart
C. L. Hammons	Tyler Munford	Dr. H. S. Swope
W. L. Hampton, Jr.	Rodes K. Myers	J. J. Thomas
Thomas W. Hines	J. C. Nickell	R. Van Bever, Jr.
Price Holbrook	Russell O'Neill	S. J. Wagner
Clyde S. Howard	A. W. Pfeiffer	Joseph L. Wall
John M. Hunnicut	J. C. Ramey	Henry Ward
J. H. Jones	Hobart Rayburn	W. G. Williams
O. C. Jones	Harry C. Records	Charles Wylie
R. T. Kirkman	L. K. Rice	
J. F. Ladd	Wade H. Riley	—76

Those who voted in the negative were—

F. T. Allen	Herbert Cook	—2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

A message was received from the Senate, announcing that they had passed bills which originated in this House entitled:

H. B. 427. An Act relating to old age assistance (Pensions),

With amendments thereto as proposed by the Senate.

(For bill see House Journal of February 5.)

Said amendments as proposed by the Senate, are as follows, viz.:

Amend the title to H. B. 427 to read as follows:

"An Act to provide old age assistance; to prescribe qualifications and eligibility of persons entitled to same; to provide for the reimbursement by the Federal Government of fifty per cent (50%) of all amounts granted and expended under the terms of this Act; to provide for the establishment of a division of public assistance in and by the Department of Public Welfare for the administration of this Act; to provide for the personnel of said division of public assistance and for the salaries thereof; provide for the adjudication of controversial claims arising under this Act in a court of competent jurisdiction; and to provide for the repeal of all laws or parts of laws in conflict herewith. This Act shall be known and cited as the "McCarthy-Ramey Old Age Assistance Act".

Amend H. B. 427, Section 1, line 9, by striking the word "continuously" and in the same section, in line 10, striking the word "immediately" and inserting in lieu thereof, the word "continuously".

Amend H. B. 427 in Section 4, line 2, as follows: After the word "of" and before the word "assistance" insert the word "public" and strike out in said line the word "and" and in line 3 of Section 4, strike out the words "pensions (herein referred to as the state agency)".

Also in said section, line 27, after the word "of" insert

the word "public" and in said line strike out the words "and pensions".

Amend H. B. 427, Section 6, line 7, by inserting after the word "inadequate" the words "or if his assistance be revoked or modified" and after the word "to" insert the words "and have a fair hearing before" and in the same line and 8 to strike the words "Department of Finance and Budgetary Control" and insert in lieu thereof "the division of public assistance"; and in lines 8 and 9 of Section 6, to strike the words "Department of Public Welfare" and insert in lieu thereof the words "Division of Public Assistance" and to strike all the words following "of" in lines 10, 11 and 12 and inserting in lieu theerof the words "Public Welfare".

Amend Section 8 by striking out the section and inserting in lieu thereof "Payment to individuals found incapable—The Division of Public Assistance shall provide in its regulations for payments to aged individuals found by a court to be incapable of taking care of his money, so that such assistance shall be used solely for the benefit of such aged persons."

Amend H. B. 427 by inserting at the end of Section 11 "One half of any recovery under this section shall be paid to the United States in such form and at such times as requested by the Social Security Board."

Said amendments were each and severally concurred in.

Said bill was then passed, as amended.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	W. T. Baker	Reuben J. Boling
H. T. Baker	B. F. Bedford	Douglas Bolling

Wallace Brown	Price Holbrook	Hobart Rayburn
Dr. R. A. Byers	Clyde S. Howard	Harry C. Records
Jas. C. Carter	John M. Hunnicut	L. K. Rice
V. O. Chandler	J. H. Jones	Wade H. Riley
Floyd Clark	O. C. Jones	Joe E. Robinson
Roscoe Claxon	R. T. Kirkman	John C. Robinson
George S. Clay	J. F. Ladd	W. T. Rollo
J. A. Coleman	Leslie Larrimore	A. W. Ross
Roy Conway	Robert E. Lee	Carl Scheben
Herbert Cook	M. T. McCarthy	Ray O. Shehan
Harry Davis	T. B. McConnell	Dr. B. F. Shields
George W. Dunlap	J. L. McDermott	P. L. Sidebottom
Howard G. Early	Lloyd MacDonald	Chester D. Silvers
Garland Embry	W. F. McGary	Bruce Sloan
Walter R. Fannin	Elmer McGlothen	H. C. Steely
T. P. Fitzpatrick	D. T. Matlack	Dr. H. S. Swope
H. Myer Garner	Duke Mayfield	W. R. Tapp
James Garnett, Jr.	John B. Mollett	J. J. Thomas
G. W. Garrett	W. E. Mull	R. Van Bever, Jr.
Ferd A. Gnau	Tyler Munford	S. J. Wagner
Ben Grogan	Rodes K. Myers	Joseph L. Wall
Jas. T. Hamilton	J. C. Nickell	W. G. Williams
C. L. Hammons	Russell O'Neill	Charles Wylie
W. L. Hampton, Jr.	A. W. Pfeiffer	
Thomas W. Hines	J. C. Ramey	—79

Mr. McCarthy moved that the vote by which said bill was passed, as amended, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

H. B. 130. An Act prohibiting the expenditure of public money on account of insurance against fire or tornado on state property, etc.

With amendments thereto as proposed by the Senate.

(For bill see House Journal of February 6.)

Said amendments as proposed by the Senate, are as follows, viz.:

Amend H. B. 130, Section 13, by adding after the figures $500,000 in lines 8 and 9 the following: "And the Department of Insurance shall insure property financed under a statutory amortization plan to the extent of the lien indebtedness upon said property or to the extent of the reasonable value of said property, whichever is the lesser."

Amend H. B. 130 by striking the comma and the word "and" and from line 13 of Section 1, and inserting in lieu thereof a period.

Amend H. B. 130 by striking from line 14 of Section 1, the word "such" and inserting in lieu thereof the word "public".

Amend H. B. 130 by inserting at the end of line 11, Section 13, the following:

"Provided, however, that during the three calendar years immediately following adoption of this act, and during any subsequent fiscal year, in which the State Fire and Tornado Insurance Fund amounts to less than Three Hundred Thousand ($300,000.00) Dollars, the Department of Insurance with the approval of the Department of Finance and Budgetary Control may reinsure in the manner provided in this section any building and contents thereof of which the total valuation has been fixed at over Two Hundred Thousand ($200,000.00) Dollars, in such way as to limit the net liability of the State Fire and Tornado Insurance Fund with respect to such building and contents thereof to Two Hundred Thousand ($200,000.00) Dollars."

Said amendments were each and severally concurred in.

Said bill was then passed, as amended.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen	G. W. Garrett	Russell O'Neill
Henry H. Allen	Ferd A. Gnau	A. W. Pfeiffer
H. T. Baker	Eugene Gough	J. C. Ramey
W. T. Baker	Ben Grogan	Hobart Rayburn
B. F. Bedford	Jas. T. Hamilton	L. K. Rice
Reuben J. Boling	W. L. Hampton, Jr.	Wade H. Riley
Douglas Bolling	Price Holbrook	Joe E. Robinson
Ollie J. Bowen	Clyde S. Howard	John C. Robinson
Wallace Brown	J. H. Jones	W. T. Rollo
V. O. Chandler	O. C. Jones	A. W. Ross
Floyd Clark	R. T. Kirkman	Carl Scheben
Roscoe Claxon	J. F. Ladd	Ray O. Shehan
George S. Clay	Robert E. Lee	Dr. B. F. Shields
J. A. Coleman	J. L. McDermott	P. L. Sidebottom
Roy Conway	Lloyd MacDonald	Chester D. Silvers
Sam Dever	W. F. McGary	Bruce Sloan
George W. Dunlap	D. T. Matlack	H. C. Steely
Howard G. Early	Duke Mayfield	Dr. H. S. Swope
Garland Embry	W. H. Miller	W. R. Tapp
Walter R. Fannin	John B. Mollett	R. Van Bever, Jr.
T. P. Fitzpatrick	W. E. Mull	S. J. Wagner
H. Myer Garner	Rodes K. Myers	Charles Wylie
James Garnett, Jr.	J. C. Nickell	—68

Mr. Matherly moved that the vote by which said bill was passed, as amended, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Ordered that said bills be delivered to the Enrolling Clerk of this House.

The House took up for consideration from the Orders of the Day, a resolution entitled:

S. Res. 16. A Joint Resolution providing for the payment of $5,973.73 out of the General Expenditure Fund for the purpose of paying to the State Journal Company, printers to the Commonwealth, its claim for materials, printing and work furnished, ordered and done by and for the various departments of the Commonwealth and for services rendered the Commonwealth.

Said resolution is as follows, viz.:

Whereas, the State Journal Company entered into a contract with the Commonwealth of Kentucky to furnish material and labor and to print for it and for the departments and agencies any order properly presented to it; and,

Whereas, in the years 1933, 1934 and 1935, many orders were presented to said State Journal Company for printing by the various departments of the Commonwealth, all of which were duly filled in the manner required, and thereafter a bill was rendered to the Commonwealth, through the Auditor, for payment, after approval by the heads of the various departments and by the Department of Public Property; and,

Whereas, the Auditor of Public Accounts of the Commonwealth admits the Commonwealth's liability and that the claim should be paid, but has refused to issue warrant for the payment of said claim for the reason that no budget appropriation for its payment is available; and,

Whereas, said claim is a debt for labor and materials furnished the Commonwealth by said State Journal Company which is due, just and should have long since been paid: Now, therefore,

Be it Resloved by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby appropriated out of the General Expenditure Fund of the Commonwealth the sum of $5,973.73 for the purpose of paying to the State Journal Company, printers to the Commonwealth, its just claim for printing and work ordered and done by and for the various departments of the Commonwealth and for services performed and rendered the Commonwealth of Kentucky by said State Journal Company.

§ 2. That it shall be the duty of the Auditor of Public Accounts of the Commonwealth of Kentucky to draw his warrant upon the Treasurer for said sum and when done it shall be the duty of the State Treasurer to pay said warrant.

§ 3. Because said claim is just, due and should have long since been paid, an emergency is declared to exist and this act shall take effect and be in full force from and after its passage and approval.

Ordered that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Floyd Clark	James Garnett, Jr.
W. T. Baker	George S. Clay	G. W. Garrett
B. F. Bedford	J. A. Coleman	Ferd A. Gnau
Reuben J. Boling	Roy Conway	Eugene Gough
Douglas Bolling	Herbert Cook	Ben Grogan
Ollie J. Bowen	Harry Davis	C. L. Hammons
Wallace Brown	Garland Embry	W. L. Hampton, Jr.
Jas. C. Carter	Walter R. Fannin	Thomas W. Hines
V. O. Chandler	H. Myer Garner	Price Holbrook

Clyde S. Howard	W. E. Mull	Chester D. Silvers
John M. Hunnicut	Tyler Munford	Bruce Sloan
J. H. Jones	Rodes K. Myers	H. C. Steely
R. T. Kirkman	J. C. Nickell	Dr. H. S. Swope
J. F. Ladd	Russell O'Neill	W. R. Tapp
Leslie Larrimore	A. W. Pfeiffer	J. J. Thomas
M. T. McCarthy	J. C. Ramey	R. Van Bever, Jr.
T. B. McConnell	Hobart Rayburn	S. J. Wagner
J. L. McDermott	L. K. Rice	Joseph L. Wall
W. F. McGary	Wade H. Riley	Henry Ward
Elmer McGlothen	W. T. Rollo	W. G. Williams
D. T. Matlack	Carl Scheben	Charles Wylie
Duke Mayfield	Ray O. Shehan	
John B. Mollett	P. L. Sidebottom	—67

There voted in the negative—

W. H. Miller —1

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 193. An Act to repeal, amend, and re-enact Section 2985, Kentucky Statutes, concerning Tax Assessments in cities of the first class.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 2984, Kentucky Statutes, Carroll's

1930 Edition, be, and the same is, hereby repealed and re-enacted as follows:

Section 2985. Assessor to return five assessment books. —In making the assessments, and lists provided for herein, the assessor shall, before the tenth day of November, 1937, and biennially before said date in each second year, thereafter, or as soon thereafter as practicable, make and return not less than five assessment books, and shall cause to be entered therein, as near as may be, in alphabetical order, the names of all persons who are the owners or holders of lands, improvements or personal property, and opposite the name of each person, owner or holder, the number and block of each of his lots, according to the maps in the assessor's office; and the aggregate value of each parcel of land and the value per front foot, when such parcel fronts on a public way; the value of the improvements and the assessed value of the personal property.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	V. O. Chandler	Stanley S. Dickson
W. T. Baker	Roscoe Claxon	George W. Dunlap
B. F. Bedford	George S. Clay	Howard G. Early
Reuben J. Boling	J. A. Coleman	Walter R. Fannin
Ollie J. Bowen	Roy Conway	T. P. Fitzpatrick
Wallace Brown	Herbert Cook	H. Myer Garner
Jas. C. Carter	Sam Dever	James Garnett, Jr.

G. W. Garrett	W. F. McGary	Joe E. Robinson
Ferd A. Gnau	Elmer McGlothen	John C. Robinson
Eugene Gough	C. S. Matherly	W. T. Rollo
Ben Grogan	D. T. Matlack	Carl Scheben
C. L. Hammons	Duke Mayfield	Ray O. Shehan
W. L. Hampton, Jr.	W. H. Miller	Dr. B. F. Shields
Thomas W. Hines	John B. Mollett	P. L. Sidebottom
Price Holbrook	W. E. Mull	Bruce Sloan
Clyde S. Howard	Tyler Munford	H. C. Steely
John M. Hunnicut	Rodes K. Myers	Dr. H. S. Swope
J. H. Jones	J. C. Nickell	W. R. Tapp
R. T. Kirkman	Russell O'Neill	J. J. Thomas
J. F. Ladd	Mel Petry	R. Van Bever, Jr.
Leslie Larrimore	A. W. Pfeiffer	S. J. Wagner
M. T. McCarthy	J. C. Ramey	Joseph L. Wall
T. B. McConnell	Hobart Rayburn	Henry Ward
J. L. McDermott	L. K. Rice	W. G. Williams
Lloyd MacDonald	Wade H. Riley	Charles Wylie

—75

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 194. An Act to repeal Section 2908, Kentucky Statutes, Carroll's 1930 Edition, concerning entry by the assessor in cities of the first class, upon his book of assessments, a statement showing the payment to the tax receiver by the taxpayer of taxes due on property.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 2908, Kentucky Statutes, Carroll's 1930 Edition, be, and the same is, hereby repealed.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Eugene Gough	W. E. Mull
W. T. Baker	Ben Grogan	Tyler Munford
B. F. Bedford	C. L. Hammons	Rodes K. Myers
Reuben J. Boling	W. L. Hampton, Jr.	J. C. Nickell
Ollie J. Bowen	Thomas W. Hines	Russell O'Neill
Wallace Brown	Price Holbrook	Mel Petry
Jas. C. Carter	Clyde S. Howard	A. W. Pfeiffer
V. O. Chandler	John M. Hunnicut	J. C. Ramey
Roscoe Claxon	J. H. Jones	Hobart Rayburn
George S. Clay	R. T. Kirkman	L. K. Rice
J. A. Coleman	J. F. Ladd	Wade H. Riley
Roy Conway	Leslie Larrimore	Joe E. Robinson
Herbert Cook	M. T. McCarthy	John C. Robinson
Sam Dever	T. B. McConnell	W. T. Rollo
Stanley S. Dickson	J. L. McDermott	Carl Scheben
George W. Dunlap	Lloyd MacDonald	Ray O. Shehan
Howard G. Early	W. F. McGary	Dr. B. F. Shields
Walter R. Fannin	Elmer McGlothen	P. L. Sidebottom
T. P. Fitzpatrick	C. S. Matherly	Bruce Sloan
H. Myer Garner	D. T. Matlack	H. C. Steely
James Garnett, Jr.	Duke Mayfield	Dr. H. S. Swope
G. W. Garrett	W. H. Miller	W. R. Tapp
Ferd A. Gnau	John B. Mollett	J. J. Thomas

R. Van Bever, Jr. Joseph L. Wall W. G. Williams
S. J. Wagner Henry Ward Charles Wylie
—75

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 195. An Act to relieve tax officials of cities of the first class against carrying uncollectable city tax bills on personal property that are more than five years overdue.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That all city tax bills on personal property in cities of the first class, which are overdue for more than five years, and are found by the city tax receiver to be uncollectable, shall be canceled and annulled on certification by the city tax receiver to the assessor that they are uncollectable.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	C. L. Hammons	Russell O'Neill
W. T. Baker	W. L. Hampton, Jr.	Mel Petry
B. F. Bedford	Thomas W. Hines	A. W. Pfeiffer
Reuben J. Boling	Price Holbrook	J. C. Ramey
Ollie J. Bowen	Clyde S. Howard	Hobart Rayburn
Wallace Brown	John M. Hunnicut	L. K. Rice
Jas. C. Carter	J. H. Jones	Wade H. Riley
V. O. Chandler	R. T. Kirkman	Joe E. Robinson
Roscoe Claxon	J. F. Ladd	John C. Robinson
George S. Clay	Leslie Larrimore	W. T. Rollo
J. A. Coleman	M. T. McCarthy	Carl Scheben
Roy Conway	T. B. McConnell	Ray O. Shehan
Herbert Cook	J. L. McDermott	Dr. B. F. Shields
Sam Dever	Lloyd MacDonald	P. L. Sidebottom
Stanley S. Dickson	W. F. McGary	Bruce Sloan
George W. Dunlap	Elmer McGlothen	H. C. Steely
Howard G. Early	C. S. Matherly	Dr. H. S. Swope
Walter R. Fannin	D. T. Matlack	W. R. Tapp
T. P. Fitzpatrick	Duke Mayfield	J. J. Thomas
H. Myer Garner	W. H. Miller	R. Van Bever, Jr.
James Garnett, Jr.	John B. Mollett	S. J. Wagner
G. W. Garrett	W. E. Mull	Joseph L. Wall
Ferd A. Gnau	Tyler Munford	Henry Ward
Eugene Gough	Rodes K. Myers	W. G. Williams
Ben Grogan	J. C. Nickell	Charles Wylie

—75

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 196. An Act to repeal, amend, and re-enact Section 3001, concerning tax collection; lien; sale; and fees.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 3001, Kentucky Statutes, Carroll's 1930 Edition, be and the same is hereby repealed and re-enacted as follows:

Section 3001. Collection; lien; sale; fees.—Immediately upon the filing of these lists the tax receiver or one of his deputies shall distrain the goods and chattels owned by, or in the rightful possession of the person from whom the tax is due, notwithstanding the existence of any lien upon same, except that for state taxes, and may proceed to sell the title of such person in so much thereof as will pay the tax due, with penalties, interest and costs. If these be no personal property reasonable available, out of which said bills can be collected by such distraint, the tax receiver shall sell any real estate belonging to such delinquent taxpayer, or enough thereof to pay the taxes due, with interest, penalties, and costs except that where there are bona fide mortgages or vendors liens of record on real estate, only liens now given by law shall be enforced by such sale. No warrant shall be required for such distraint or sale of either, personal or real property, but the tax bill, unpaid in whole or in part, shall give sufficient power for such distraint and sales, and all subsequent proceedings thereunder. He shall thus in each case make out of the property of the person assessed, the amount of the tax bill, or the unpaid part thereof, together with interest at the rate of one-half (½) of one (1) percent per month, or fraction of a month from the first of May last past, and ten (10%) percent on the face of the bill. Said tax bills shall have the force and effect of an execution issued upon a judgment against the delinquent, in addition to the tax lien now provided by law. The city shall have a lien on personal property as provided in the case of real property for its taxes. A sale of personalty under such tax bills shall be for cash, and the levy, advertisements, sale

and delivery to purchasers shall be made in like manner as of goods levied under executoin on replevin bond. When such tax bills are against a married woman, they may be also levied upon such goods of her husband, nor exempt from levy under a like tax bill against himself, and found on any of the lands or improvements for which the married woman is assessed. A sale of real property under such bills shall be for cash, and in such cases the tax receiver shall sell at public auction so much of the property of the delinquent as shall pay the taxes due, with penalties, interest and costs, in the same manner that property is sold under execution, except that the sale shall be had at the door of the city hall of the city in which the land lies, and need not be appraised or levied on. Such sale shall be advertised by posting for fifteen days before this sale a written or printed notice at the city hall door, and by publication at least four weeks prior to the day of sale by one insertion in a newspaper published in the English language in said city, selected by the general council to print its proceedings and ordinances; and the tax receiver shall, not less than fifteen days before the sale, mail to the delinquent a postal card addressed to his place of residence, or place of business, if such can be ascertained, notifying him of the time and place of the sale; and in order to cover the cost of said advertisement and notification the tax receiver shall have Two ($2.00) Dollars for each person whose property is advertised to be paid by the delinquent, but in no event to be paid by the city, and the money so received shall be paid by the tax receiver into the city treasury; but the failure of the tax receiver to send, or of the taxpayer to receive the mail notice of sale herein required, shall not invalidate the sale or any subsequent proceedings thereunder.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of

said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	C. L. Hammons	Russell O'Neill
W. T. Baker	W. L. Hampton, Jr.	Mel Petry
B. F. Bedford	Thomas W. Hines	A. W. Pfeiffer
Reuben J. Boling	Price Holbrook	J. C. Ramey
Ollie J. Bowen	Clyde S. Howard	Hobart Rayburn
Wallace Brown	John M. Hunnicut	L. K. Rice
Jas. C. Carter	J. H. Jones	Wade H. Riley
V. O. Chandler	R. T. Kirkman	Joe E. Robinson
Roscoe Claxon	J. F. Ladd	John C. Robinson
George S. Clay	Leslie Larrimore	W. T. Rollo
J. A. Coleman	M. T. McCarthy	Carl Scheben
Roy Conway	T. B. McConnell	Ray O. Shehan
Herbert Cook	J. L. McDermott	Dr. B. F. Shields
Sam Dever	Lloyd MacDonald	P. L. Sidebottom
Stanley S. Dickson	W. F. McGary	Bruce Sloan
George W. Dunlap	Elmer McGlothen	H. C. Steely
Howard G. Early	C. S. Matherly	Dr. H. S. Swope
Walter R. Fannin	D. T. Matlack	W. R. Tapp
T. P. Fitzpatrick	Duke Mayfield	J. J. Thomas
H. Myer Garner	W. H. Miller	R. Van Bever, Jr.
James Garnett, Jr.	John B. Mollett	S. J. Wagner
G. W. Garrett	W. E. Mull	Joseph L. Wall
Ferd A. Gnau	Tyler Munford	Henry Ward
Eugene Gough	Rodes K. Myers	W. G. Williams
Ben Grogan	J. C. Nickell	Charles Wylie

—75

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 198. An Act repealing Chapter 112 of the Acts of the General Assembly of 1912, as amended by Chapter 126 of the Acts of the General Assembly of 1920, Sections 88, 89, 90, 91, and 92 of Chapter 115 of the Acts of the General Assembly of 1926, and Chapter 119 of the Acts of the General Assembly of 1926, being Sections 2872a-1 to 2872a-19, inclusive, Carroll's Kentucky Statutes 1930, and enacting in lieu thereof an act authorizing the proper legislative authorities of cities of the first class to adopt and provide for a system of pensions for injured, retired, and disabled policemen and their dependents; empowering the assessment and collection of taxes, fines, penalties and donations to provide therefor; and exempting pensions from process.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Chapter 112 of the Acts of 1912, as amended by Chapter 126 of the Acts of 1920, Sections 88, 83, 90, 91, and 92, of Chapter 115 of the Acts of 1926, and Chapter 119 of the Acts of 1926, of the General Assembly, being Sections 2872a-1 to 2872a-19, inclusive, Carroll's Kentucky Statutes, 1930, be and the same is hereby repealed, as of August 31, 1936.

§ 2. That the proper legislative authorities of all cities of the first class be and they hereby are authorized and empowered to enact laws and ordinances, effective on and after the first day of September, 1936, and providing for a system of pensions for injured, retired and disabled policemen and their dependents.

§ 3. That the proper legislative authorities of all cities of the first class be and they hereby are authorized and em-

powered to levy, assess and collect taxes for the purpose of paying such pensions.

§ 4. That such legislative authorities be and they hereby are empowered to allot, assign and pay into any such pension fund all monies credited upon the payroll of the police department by reason of fines or penalties imposed upon officers, members and employees of said department, and to provide for, assess and collect contributions from such officers, members and employees for the benefit of said fund.

§ 5. No portion of any pension fund, created by virtue of this Act, shall, before or after its order for distribution to the persons entitled thereto, be held, seized, taken, subjected to, detained, or levied by virtue of any attachment, execution, injunction, writ, interlocutory, or any other order or decree or any process or proceeding whatever, issued out of or by any court whatsoever, for the payment or satisfaction, in whole or in part, of any debt, damage, claim, demand or judgment against the beneficiary of said fund; but said fund shall be held and distributed for the purpose of paying pensions, and for no other purpose whatever.

§ 6. All laws and parts of laws in conflict with this Act are hereby expressly repealed.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	B. F. Bedford	Ollie J. Bowen
W. T. Baker	Reuben J. Boling	Wallace Brown

Jas. C. Carter	Clyde S. Howard	A. W. Pfeiffer
V. O. Chandler	John M. Hunnicut	J. C. Ramey
Roscoe Claxon	J. H. Jones	Hobart Rayburn
George S. Clay	R. T. Kirkman	L. K. Rice
J. A. Coleman	J. F. Ladd	Wade H. Riley
Roy Conway	Leslie Larrimore	Joe E. Robinson
Herbert Cook	M. T. McCarthy	John C. Robinson
Sam Dever	T. B. McConnell	W. T. Rollo
Stanley S. Dickson	J. L. McDermott	Carl Scheben
George W. Dunlap	Lloyd MacDonald	Ray O. Shehan
Howard G. Early	W. F. McGary	Dr. B. F. Shields
Walter R. Fannin	Elmer McGlothen	P. L. Sidebottom
T. P. Fitzpatrick	C. S. Matherly	Bruce Sloan
H. Myer Garner	D. T. Matlack	H. C. Steely
James Garnett, Jr.	Duke Mayfield	Dr. H. S. Swope
G. W. Garrett	W. H. Miller	W. R. Tapp
Ferd A. Gnau	John B. Mollett	J. J. Thomas
Eugene Gough	W. E. Mull	R. Van Bever, Jr.
Ben Grogan	Tyler Munford	S. J. Wagner
C. L. Hammons	Rodes K. Myers	Joseph L. Wall
W. L. Hampton, Jr.	J. C. Nickell	Henry Ward
Thomas W. Hines	Russell O'Neill	W. G. Williams
Price Holbrook	Mel Petry	Charles Wylie

—75

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 199. An Act to repeal Chapter 122 of the Acts of 1912, as amended by Chapter 127 of the Acts of 1920, Sections 123, 124, 125, 126, 127, 128, of Chapter 115 of the Acts of 1926, and Chapter 73 of the Acts of 1928 of the General

Assembly, being Sections 2896a-16 to 2896-2-33, inclusive, Carroll's Kentucky Statutes, 1930; and enacting in lieu thereof An Act to authorize and empower the proper legislative authorities of cities of the first class to adopt and provide for a system of pensions for retired, injured and disabled firemen and their dependents; and to empower the assessment and collection of taxes, fines, penalties and donations to provide therefor; and exempting pensions from process.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Chapter 122 of the Acts of 1912, as amended by Chapter 127 of the Acts of 1920, Sections 123, 124, 125, 126, 127, 128, of Chapter 115 of the Acts of 1926 and Chapter 73 of the Acts of 1928 of the General Assembly of the Commonwealth of Kentucky, being Sections 2896-2-16 to 2896a-33, inclusive, Carroll's Kentucky Statutes, 1930, be and the same hereby are repealed as of August 31, 1936.

§ 2. That the proper legislative authorities of all cities of the first class be and they hereby are authorized and empowered to enact laws and ordinances, effective on and after the first day of September, 1936, adopting and providing for a system of pensions for injured, retired and disabled firemen and their dependents.

§ 3. That the proper legislative authorities of all cities of the first class be and they hereby are authorized and empowered to levy, assess, and collect taxes for the purpose of paying such pensions.

§ 4. That such legislative authorities be and they hereby are empowered to allot, assign, and pay into any such pension fund all moneys credited upon the payroll of the fire department by reason of fines or penalties imposed upon officers, members and employees of said department, and to provide

for, assess and collect contributions from such officers, members and employees for the benefit of such fund.

§ 5. No portion of any pension fund, created by virtue of this Act, shall, before or after its order for distribution to persons entitled thereto, be held, seized, taken, subjected to, detained or levied, by virtue of any attachment, execution, injunction, writ, interlocutory, or any other order or decree or any process or proceeding whatever, issued out of or by any court whatsoever, for the payment or satisfaction, in whole or in part, of any debt, damage, claim, demand or judgment against the beneficiary of said fund; but said fund shall be held and distributed for the purpose of paying pensions, and for no other purpose whatever.

§ 6. All laws and parts of laws in conflict with this Act are hereby expressly repealed.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	J. A. Coleman	James Garnett, Jr.
W. T. Baker	Roy Conway	G. W. Garrett
B. F. Bedford	Herbert Cook	Ferd A. Gnau
Reuben J. Boling	Sam Dever	Eugene Gough
Ollie J. Bowen	Stanley S. Dickson	Ben Grogan
Wallace Brown	George W. Dunlap	C. L. Hammons
Jas. C. Carter	Howard G. Early	W. L. Hampton, Jr.
V. O. Chandler	Walter R. Fannin	Thomas W. Hines
Roscoe Claxon	T. P. Fitzpatrick	Price Holbrook
George S. Clay	H. Myer Garner	Clyde S. Howard

John M. Hunnicut	John B. Mollett	Carl Scheben
J. H. Jones	W. E. Mull	Ray O. Shehan
R. T. Kirkman	Tyler Munford	Dr. B. F. Shields
J. F. Ladd	Rodes K. Myers	P. L. Sidebottom
Leslie Larrimore	J. C. Nickell	Bruce Sloan
M. T. McCarthy	Russell O'Neill	H. C. Steely
T. B. McConnell	Mel Petry	Dr. H. S. Swope
J. L. McDermott	A. W. Pfeiffer	W. R. Tapp
Lloyd MacDonald	J. C. Ramey	J. J. Thomas
W. F. McGary	Hobart Rayburn	R. Van Bever, Jr.
Elmer McGlothen	L. K. Rice	S. J. Wagner
C. S. Matherly	Wade H. Riley	Joseph L. Wall
D. T. Matlack	Joe E. Robinson	Henry Ward
Duke Mayfield	John C. Robinson	W. G. Williams
W. H. Miller	W. T. Rollo	Charles Wylie

—75

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 200. An Act to amend and re-enact Article 4 of Chapter 16 of the Acts of the General Assembly of 1906, the same being Section 3024a-4 of Carroll's Kentucky Statutes 1930, by authorizing compensation to members of the board of water works in cities of the first class.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Article 4 of Chapter 16 of the Acts of 1906 of the General Assembly, the same being Section 3024a-4 of

Carroll's Kentucky Statutes, 1930, be and the same hereby is amended and re-enacted so that said section, as amended and re-enacted, shall read as follows:

"Said board shall annually elect a president, a treasurer, a secretary and a chief engineer, who shall hold their offices for one year, or until their successors have been duly elected and qualified, and devote all their time to the duties of their respective offices. No member of said board, except the president, shall receive a salary, but the board may allow compensation to each member thereof, other than the salaried officers, for attendance upon the meetings of the board, not exceeding ten ($10.00) dollars, for each meeting attended. The president shall be elected from the members of the board. The president, secretary and treasurer shall each give bond, with approved surety, in such amount as may be fixed by the board, which bond shall be payable to the board of water works, and oblige the makers thereof to perform faithfully the duties of their several offices and faithfully account for and pay over all money or other things of value which may come into their several hands. The combined salaries of the president, treasurer and secretary shall not exceed the sum of nine thousand dollars. The board shall have the authority to appoint such other agents or employees as they may deem necessary or proper and to fix the compensation of its officers, agents or employees: Provided, however, that the salary of no officer, agent or employee shall exceed the sum of five thousand dollars per annum."

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill

in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	C. L. Hammons	Russell O'Neill
W. T. Baker	W. L. Hampton, Jr.	Mel Petry
B. F. Bedford	Thomas W. Hines	A. W. Pfeiffer
Reuben J. Boling	Price Holbrook	J. C. Ramey
Ollie J. Bowen	Clyde S. Howard	Hobart Rayburn
Wallace Brown	John M. Hunnicut	L. K. Rice
Jas. C. Carter	J. H. Jones	Wade H. Riley
V. O. Chandler	R. T. Kirkman	Joe E. Robinson
Roscoe Claxon	J. F. Ladd	John C. Robinson
George S. Clay	Leslie Larrimore	W. T. Rollo
J. A. Coleman	M. T. McCarthy	Carl Scheben
Roy Conway	T. B. McConnell	Ray O. Shehan
Herbert Cook	J. L. McDermott	Dr. B. F. Shields
Sam Dever	Lloyd MacDonald	P. L. Sidebottom
Stanley S. Dickson	W. F. McGary	Bruce Sloan
George W. Dunlap	Elmer McGlothen	H. C. Steely
Howard G. Early	C. S. Matherly	Dr. H. S. Swope
Walter R. Fannin	D. T. Matlack	W. R. Tapp
T. P. Fitzpatrick	Duke Mayfield	J. J. Thomas
H. Myer Garner	W. H. Miller	R. Van Bever, Jr.
James Garnett, Jr.	John B. Mollett	S. J. Wagner
G. W. Garrett	W. E. Mull	Joseph L. Wall
Ferd A. Gnau	Tyler Munford	Henry Ward
Eugene Gough	Rodes K. Myers	W. G. Williams
Ben Grogan	J. C. Nickell	Charles Wylie

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Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 201. An Act to amend Chapter 16 of the Acts of 1928 by adding after Section 77 thereof and before Section 78 thereof a new section to be entitled Section 77a and providing for the temporary commitment for care and observation of persons whose mental condition is so abnormal as to require their temporary commitment for care and observation pending a determination whether or not they are insane.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

If the certificate of the medical examiners mentioned in the preceding sections, instead of stating that in the opinion of such examiners the person is insane, shall state in substance that in the opinion of such examiners the mental condition of the person is so abnormal that the safety of the person or of the public requires that he be committed for a period of care and further medical examination and observation of his mental condition, upon the filing of such certificate by the court may order such person to a state hospital for the insane or to a city or county hospital in the county having a psychopathic ward or facilities suitable, in the court's opinion, for the care and medical examination and observation of mental diseases, for a period of care and further medical examination and observation of the mental condition of such person not to exceed thirty-five (35) days. Within thirty (30) days after such commitment, if the superintendent of the institution to which the person has been committed shall be of the opinion that the person is sane, he shall so certify to the judge who committed him, who shall thereupon order the discharge of the person, and it shall be the duty of the clerk to mail an attested copy of such order to the superintendent of the institution to which the person was committed. Within thirty (30) days after such commitment, if the superintendent of the institution to which the person has been committed be

of the opinion that the person is insane, he shall so certify to the judge who committed him, whereupon, the judge shall again appoint two medical examiners as provided in Section 216aa-76, Carroll's Kentucky Statutes, 1930 Edition, and upon the filing of their certificates as provided in Section 216aa-77, Carroll's Kentucky Statutes, 1930 Edition, the action shall proceed as provided in Sections 216aa-68 to 216aa-94 inclusive, Carroll's Kentucky Statutes, 1930 Edition.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Walter R. Fannin	Leslie Larrimore
W. T. Baker	T. P. Fitzpatrick	M. T. McCarthy
B. F. Bedford	H. Myer Garner	T. B. McConnell
Reuben J. Boling	James Garnett, Jr.	J. L. McDermott
Ollie J. Bowen	G. W. Garrett	Lloyd MacDonald
Wallace Brown	Ferd A. Gnau	W. F. McGary
Jas. C. Carter	Eugene Gough	Elmer McGlothen
V. O. Chandler	Ben Grogan	C. S. Matherly
Roscoe Claxon	C. L. Hammons	D. T. Matlack
George S. Clay	W. L. Hampton, Jr.	Duke Mayfield
J. A. Coleman	Thomas W. Hines	W. H. Miller
Roy Conway	Price Holbrook	John B. Mollett
Herbert Cook	Clyde S. Howard	W. E. Mull
Sam Dever	John M. Hunnicut	Tyler Munford
Stanley S. Dickson	J. H. Jones	Rodes K. Myers
George W. Dunlap	R. T. Kirkman	J. C. Nickell
Howard G. Early	J. F. Ladd	Russell O'Neill

Mel Petry	W. T. Rollo	W. R. Tapp
A. W. Pfeiffer	Carl Scheben	J. J. Thomas
J. C. Ramey	Ray O. Shehan	R. Van Bever, Jr.
Hobart Rayburn	Dr. B. F. Shields	S. J. Wagner
L. K. Rice	P. L. Sidebottom	Joseph L. Wall
Wade H. Riley	Bruce Sloan	Henry Ward
Joe E. Robinson	H. C. Steely	W. G. Williams
John C. Robinson	Dr. H. S. Swope	Charles Wylie

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Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 202. An Act to amend and re-enact Section 2777 of Carroll's Kentucky Statutes, Baldwin's Revision of 1930, which section is a part of Chapter 244, Section 15, of an act enacted by the 1893 session of the General Assembly of the Commonwealth of Kentucky, as amended by Chapter 115, Section 16, of an act enacted by the General Assembly of the Commonwealth of Kentucky, concerning the cities of the first class in the Commonwealth of Kentucky, and relating to ordinances, how passed; how amended.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 2777 of Carroll's Kentucky Statutes, Baldwin's Revision of 1930, which section is a part of Chapter 244, Section 15, of an act, enacted by the 1893 session of the General Assembly of the Commonwealth of Kentucky, as amended by Chapter 115, Section 16, of an act, enacted by the

General Assembly of the Commonwealth of Kentucky, concerning the cities of the first class in the Commonwealth of Kentucky, and relating to ordinances, how passed; how amended, be, and the same is hereby, amended and re-enacted so that when so amended and re-enacted it shall read as follows:

Section 2777. Ordinances, How Passed, How Amended.—No ordinance shall be passed until it shall have been read in full in the board of aldermen and free discussion allowed thereon, and no ordinance shall be passed at the meeting of said board of aldermen at which it is introduced, nor shall it be passed at any succeeding meeting until it shall have been read in full in such meeting, and free discussion allowed thereon; and provided, further, that no ordinance passed by the board of aldermen of said city shall embrace more than one subject and that subject shall be expressed in its title. Any ordinance may be repealed or amended by the said board of aldermen, provided that the ordinance amending same shall be subject to the provisions hereinabove applying and regulating the passage of an original ordinance.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the pdovisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Ollie J. Bowen	Roscoe Claxon
W. T. Baker	Wallace Brown	George S. Clay
B. F. Bedford	Jas. C. Carter	J. A. Coleman
Reuben J. Boling	V. O. Chandler	Roy Conway

Herbert Cook	J. F. Ladd	Hobart Rayburn
Sam Dever	Leslie Larrimore	L. K. Rice
Stanley S. Dickson	M. T. McCarthy	Wade H. Riley
George W. Dunlap	T. B. McConnell	Joe E. Robinson
Howard G. Early	J. L. McDermott	John C. Robinson
Walter R. Fannin	Lloyd MacDonald	W. T. Rollo
T. P. Fitzpatrick	W. F. McGary	Carl Scheben
H. Myer Garner	Elmer McGlothen	Ray O. Shehan
James Garnett, Jr.	C. S. Matherly	Dr. B. F. Shields
G. W. Garrett	D. T. Matlack	P. L. Sidebottom
Ferd A. Gnau	Duke Mayfield	Bruce Sloan
Eugene Gough	W. H. Miller	H. C. Steely
Ben Grogan	John B. Mollett	Dr. H. S. Swope
C. L. Hammons	W. E. Mull	W. R. Tapp
W. L. Hampton, Jr.	Tyler Munford	J. J. Thomas
Thomas W. Hines	Rodes K. Myers	R. Van Bever, Jr.
Price Holbrook	J. C. Nickell	S. J. Wagner
Clyde S. Howard	Russell O'Neill	Joseph L. Wall
John M. Hunnicut	Mel Petry	Henry Ward
J. H. Jones	A. W. Pfeiffer	W. G. Williams
R. T. Kirkman	J. C. Ramey	Charles Wylie

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Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

A message was received from the Senate, announcing that they had passed bills which originated in this House, entitled:

H. B. 4. An Act to amend and re-enact Section 1 of an Act providing for the renewal of franchises of public utilities in cities of the 2nd, 3rd, 4th, 5th and 6th classes, etc.

H. B. 3. An Act enabling cities of the third class to ac-

quire, construct, operate and maintain electric light, heat and power plants, etc.

With an amendment thereto as proposed by the Senate.

(For bill see House Journal of January 29.)

Said amendment as proposed by the Senate, is as follows, viz.:

Amend H. B. 3 by adding after the word "power" at the end of line 21, page 2, of the printed bill, the following: "Provided, however, that before any such city shall be authorized or empowered to purchase or establish and operate an electric light, heat and power plant or to issue revenue bonds therefor, the legislative body of such city shall pass an ordinance declaring it desirable that the municipality shall purchase or construct and operate a municipal light, heat and power plant and shall prepare or cause to be prepared the necessary and proper plans and specifications for the construction of the municipal light, heat and power plant, select the location therefor, and determine the size, type and method of construction thereof, and make the necessary estimates of the probable cost of construction and the acquisition of the land and right of way or to buy or take over any existing plant that may be furnishing electric current to the city, and cause a survey to be made of all the lands, structures, rights of way, franchises and easements, the acquisition of which may be deemed necessary for the construction and operation of such municipal plant; and, provided further that the question of whether or not revenue bonds shall be issued to provide for the payment of the cost thereof shall be submitted to the qualified voters of such municipality at the next regular election to be held therein. The Mayor of the municipality shall certify the ordinance to the County Court Clerk of the county who shall, on the ballots provided for use in the municipality in which it is proposed

to purchase or establish such municipal light, heat and power plants and issue revenue bonds for the payment of the cost thereof, have printed thereon the question: "Are you in favor of purchasing, constructing and operating a municipal light, heat and power plant in accordance with the plans and specifications adopted by the city of ..... (Here insert name of city) and the incurring of indebtedness by the issuance of revenue bonds in the amount of $..... (Here insert total face amount of bonds estibated by the legislative body of the city to be necessary to pay the cost of such plant, based upon the estimate hereinabove provided)". And opposite the question he shall print "Yes" and "No", with the proper squares for stamping the cross mark to indicate preference. Provided, further, that the Mayor of such municipality shall advertise such election and the objects thereof at least forty-five days next before the date of such election in the newspaper having the largest circulation in the city and also by printed handbills posted up at not less than four conspicuous places in each voting precinct in the municipality and at the court house door. All legal voters of such municipality shall be privileged to vote at such election. The city shall have no authority to purchase, construct or acquire a municipal light, heat or power plant or to issue revenue bonds unless a majority of all the qualified voters voting in the election in favor thereof.

Said amendment was then concurred in.

Said bill was then passed, as amended.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Reuben J. Boling	Wallace Brown
B. F. Bedford	Ollie J. Bowen	Jas. C. Carter

Roscoe Claxon	Price Holbrook	Russell O'Neill
George S. Clay	Clyde S. Howard	Mel Petry
J. A. Coleman	John M. Hunnicut	A. W. Pfeiffer
Roy Conway	J. H. Jones	J. C. Ramey
Herbert Cook	R. T. Kirkman	Wade H. Riley
Sam Dever	J. F. Ladd	Joe E. Robinson
Stanley S. Dickson	Leslie Larrimore	John C. Robinson
George W. Dunlap	M. T. McCarthy	W. T. Rollo
Howard G. Early	T. B. McConnell	Carl Scheben
Walter R. Fannin	J. L. McDermott	Ray O. Shehan
T. P. Fitzpatrick	Lloyd MacDonald	Dr. B. F. Shields
H. Myer Garner	W. F. McGary	P. L. Sidebottom
James Garnett, Jr.	Elmer McGlothen	Bruce Sloan
G. W. Garrett	D. T. Matlack	H. C. Steely
Ferd A. Gnau	Duke Mayfield	Dr. H. S. Swope
Eugene Gough	W. H. Miller	J. J. Thomas
Ben Grogan	John B. Mollett	S. J. Wagner
Jas. T. Hamilton	W. E. Mull	Henry Ward
W. L. Hampton, Jr.	Tyler Munford	Charles Wylie
Thomas W. Hines	J. C. Nickell	

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Mr. Ward moved that the vote by which said bill was passed, as amended, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Mr. Dickson of the Committee on Enrollment reported that they had examined and found to be correctly enrolled, bills of the following titles, viz.:

H. B. 174. An Act to provide for the certification of property assessments in annexed territory and to provide for the equalization of such.

H. B. 21. An Act to repeal Kentucky Statutes changing ways and rights of blind voters.

H. B. 68. An Act defining passenger automobiles and providing for the registration fees of such motor vehicles, etc.

H. B. 110. An Act to repeal Kentucky Statutes relating to redemption of land sold for taxes.

H. B. 116. An Act authorizing fiscal courts to appropriate funds, in counties having cities of the second class, for the aid of dependent children.

H. B. 148. An Act to provide state aid for education in certain courses of study.

S. B. 282. An Act to amend and re-enact Kentucky Statutes, relating to the investment of funds by fiduciaries.

S. B. 36. An Act authorizing the various counties of the Commonwealth to contract with cities owning and operating hospitals for hospitalization for poor and indigent persons.

S. B. 283. An Act relating to ditches and drains.

S. B. 270. An Act relating to motor vehicles and governors thereon.

S. B. 95. An Act to amend Kentucky Statutes relating to banks and trust companies.

S. B. 314. An Act to amend Kentucky Statutes, relating to per diem of officers and employees of the General Assembly.

S. B. 190. An Act relating to Primary Roads and Highways.

S. B. 185. An Act relating to Primary Roads and Highways.

S. B. 180. An Act relating to Primary Roads and Highways.

S. B. 187. An Act relating to Primary Roads and Highways.

S. B. 161. An Act relating to Primary Roads and Highways.

S. B. 177. An Act relating to Primary Roads and Highways.

S. B. 162. An Act relating to Primary Roads and Highways.

S. B. 164. An Act relating to Primary Roads and Highways.

S. B. 162. An Act relating to Primary Roads and Highways.

S. B. 178. An Act relating to Primary Roads and Highways.

S. B. 170. An Act relating to Primary Roads and Highways.

S. B. 148. An Act relating to the Primary Road System.

S. B. 176. An Act relating to Primary Roads and Highways.

S. B. 175. An Act relating to Primary Roads and Highways.

S. B. 188. An Act relating to Primary Roads and Highways.

S. B. 167. An Act relating to Primary Roads and Highways.

S. B. 168. An Act relating to Primary Roads and Highways.

S. B. 183. An Act relating to Primary Roads and Highways.

S. B. 238. An Act relating to Primary Roads and Highways.

S. B. 239. An Act relating to Primary Roads and Highways.

S. B. 231. An Act relating to Primary Roads and Highways.

S. B. 206. An Act relating to the Primary System of Roads and Highways.

S. B. 205. An Act relating to the Primary System of Roads and Highways.

S. B. 206. An Act relating to the Primary System of Roads and Highways.

S. B. 204. An Act relating to the Primary System of Roads and Highways.

S. B. 255. An Act relating to the Primary System of Roads and Highways.

S. B. 243. An Act relating to the Primary System of Roads and Highways.

S. B. 240. An Act relating to the Primary System of Roads and Highways.

S. B. 261. An Act relating to the Primary System of Roads and Highways.

S. B. 256. An Act relating to the Primary System of Roads and Highways.

S. Res. 35. Resolution authorizing Floyd Carver to sue the Commonwealth.

S. Res. 36. Resolution authorizing Malinda Taylor to sue the Commonwealth.

S. Res. 44. Resolution authorizing James Lewis to sue the Commonwealth.

S. Res. 23. Resolution authorizing Sarah Marks and Gladys Madison to sue the Commonwealth.

S. Res. 28. Resolution authorizing Floyd Mays to sue the Commonwealth.

S. Res. 30. Resolution authorizing B. F. Turner to sue the Commonwealth.

S. Res. 33. Resolution authorizing Wm. Cox to sue the Commonwealth.

S. Res. 38. Resolution authorizing James William May to sue the Commonwealth.

H. B. 223. An Act relating to Primary Roads.

H. B. 324. An Act relating to Primary Roads.

H. B. 225. An Act relating to Primary Roads.

H. B. 230. An Act relating to Primary Roads.

H. B. 235. An Act relating to Primary Roads.

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H. B. 438. An Act relating to Primary Roads.

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H. B. 495. An Act relating to Primary Roads.

H. B. 496. An Act relating to Primary Roads.

H. B. 497. An Act relating to Primary Roads.

H. B. 498. An Act relating to Primary Roads.

Thereupon all other business was suspended, said bills were read at length and compared in open session and found to be correctly enrolled, and thereupon the Speaker, in open session and in the presence of the House, affixed his signature thereto.

Ordered that said bills which originated in the Senate be delivered to the Enrolling Clerk of the Senate.

Ordered that the Enrolling Clerk of this House deliver said bills which originated in the House, to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled copies of said bills, duly signed by the President of the Senate, into the possession of the Chief Clerk of this House.

Ordered that the Chief Clerk of the House deliver said bills to the Governor.

After a time the Chief Clerk reported that he had discharged his duty.

Dr. Shields moved that the House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

SATURDAY, FEBRUARY 15, 1936.

The House was opened with prayer by Mr. Scheben of the county of Campbell.

The roll was called and the following members answered to their names, viz.:

F. T. Allen
Henry H. Allen
C. W. Anderson, Jr.
H. T. Baker
W. T. Baker
G. M. Ballard
B. F. Bedford
Reuben J. Boling
Douglas Bolling
Ollie J. Bowen
Wallace Brown
Dr. R. A. Byers
Jas. C. Carter
V. O. Chandler
Floyd Clark
Roscoe Claxon
George S. Clay
J. A. Coleman
Roy Conway
Herbert Cook
Harry Davis
Sam Dever
Stanley S. Dickson
George W. Dunlap
Howard G. Early
Garland Embry
Clarence E. Evans
Walter R. Fannin
Chas. P. Farnsley
T. P. Fitzpatrick
H. Myer Garner
James Garnett, Jr.
G. W. Garrett
Ferd A. Gnau
Eugene Gough
Ben Grogan
Jas. T. Hamilton
C. L. Hammons
W. L. Hampton, Jr.
Thomas W. Hines
Price Holbrook
Clyde S. Howard
Ira W. Hulette
John M. Hunnicut
Ben W. Johnson
J. H. Jones
O. C. Jones
R. T. Kirkman
J. F. Ladd
Leslie Larrimore
Robert E. Lee
T. B. McConnell
J. L. McDermott
Lloyd MacDonald
W. F. McGary
Elmer McGlothen
John Marshall
D. T. Matlack
Duke Mayfield
W. H. Miller
John B. Mollett
W. E. Mull
Tyler Munford
Rodes K. Myers
J. C. Nickell
Russell O'Neill
Mel Petry
A. W. Pfeiffer
J. C. Ramey
Hobart Rayburn
Harry C. Records
L. K. Rice
Wade H. Riley
Joe E. Robinson
John C. Robinson
W. T. Rollo
A. W. Ross
Carl Scheben
Carl Schneider
Ray O. Shehan
Dr. B. F. Shields
P. L. Sidebottom
Chester D. Silvers
H. C. Steely
Henry Stewart
Dr. H. S. Swope
W. R. Tapp
J. J. Thomas
R. Van Bever, Jr.
S. J. Wagner
Joseph L. Wall
Henry Ward
W. G. Williams
Charles Wylie

Mr. Hammons moved that the reading of the Journal of yesterday's proceedings be dispensed with.

Said motion was agreed to.

Mr. Davis moved that the session of today be extended indefinitely.

Said motion was agreed to.

Mr. Hunnicutt offered the following resolution, viz.:

Whereas, the regular session of 1936 of the Kentucky General Assembly will adjourn sine die by agreement on Saturday, next, February 15, 1936; and,

Whereas, it has been agreed between the Kentucky General Assembly and his Excellency, The Governor of the Commonwealth, that the Governor will issue a call for a special session for the purpose of reorganization of the state government; and,

Whereas, it has been further agreed that the aforesaid Special Session will be called for Monday, February 24, 1936, for the consideration of the aforesaid state reorganization; and,

Whereas, there has been no indication whatsoever of how the State's reorganization is to be effected, or of what the program will consist; and,

Whereas, it has been indicated that the reorganization is completed and ready for the consideration of the Legislature; and,

Whereas, if the members of the Assembly were informed in advance of the contents of the program to be considered, and since the intervening period will afford an opportunity for study of the subject of the Special Session; and,

Whereas, such advance study will greatly enhance and facilitate the passage of legislation relative to same and

therefore result in enormous savings in the costs of keeping the legislature in session: Now, Therefore,

Be It Resolved, That the Governor apprise the members of the General Assembly in advance of the session the nature of the subject of reorganization, at the convenience of the Governor, and

Be It Further Resolved, That the Clerk of the House so advise the Governor of this request.

Mr. Lee moved that said resolution be laid on the table.

Said motion was agreed to.

A message was received from the Senate, announcing that they had passed bills and resolutions of the following titles, viz.:

H. B. 129. An Act to provide for the codification, revision and publication of the Statutes of Kentucky; to create a Committee.

H. Res. 60. Resolution designating a highway beginning at the Kentucky-Tennessee state line and running to the Mammoth Cave National Park as the Cordell Hull Parkway.

H. Res. 24. A Resolution authorizing D. G. Young to sue the Commonwealth of Kentucky.

H. Res. 19. Resolution authorizing Joe Sparrow to sue the Commonwealth of Kentucky.

H. Res. 13. Resolution authorizing F. E. Gross and Mrs. F. E. Gross to sue the Commonwealth.

H. Res. 12. Resolution authorizing Bud Philpot to sue the Commonwealth.

H. Res. 18. Resolution authorizing the personal representative of Winfred Hoover to sue the Commonwealth.

Ordered that said bills and resolutions be delivered to the Enrolling Clerk of this House.

And that they had passed resolutions which originated in the Senate, entitled:

S. Res. 51. Resolution authorizing and empowering Lavina Pope to sue the Commonwealth.

S. Res. 48. Resolution authorizing Mattie E. Combest and Mabel Wesley to sue the Commonwealth.

S. Res. 50. Resolution authorizing W. Burie Suiter to sue the Commonwealth.

S. Res. 47. Resolution authorizing Leo Caproni of Maysville to sue the Commonwealth.

S. Res. 32. Resolution authorizing R. T. Humphries to sue the Commonwealth.

S. Res. 42. Resolution authorizing Malinda Saylor to sue the Commonwealth.

S. Res. 49. Resolution authorizing Ethel Carr, a married woman, to sue the Jefferson County Fiscal Court.

Ordered that said resolutions be referred to Committee on Rules.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 277. An Act to amend Section 297, Civil Code of

Practice, relating to application to a Judge of the Court of Appeals for the issue, reinstatement of dissolution of a temporary injunction.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 297 of the Civil Code be amended so that when amended it shall read as follows:

Section 297. If a party to an injunction suit desires to make application to a judge of the Court of Appeals for an order for the issue of a temporary injunction or for the reinstatement or dissolution of such injunction as provided in Section 296, such party shall give reasonable notice in writing to the party affected thereby of the time and place of such application, and of the motion to be made at such time. Such application shall be made by presenting to the Clerk of the Court of Appeals a copy of the record, including the evidence read or offered to be read, and a copy of the notice of such application. Upon such presentation, such clerk shall at once notify the Chief Justice of such application and motion, and the Chief Justice, or the clerk in vacation, shall thereupon at once assign such application and motion to one of the judges of the Court of Appeals for disposition. The judge of the Court of Appeals to whom such application and motion shall have thus been assigned shall consider such record and shall make such order as he shall deem proper in the case, either directing that such temporary injunction shall issue or refusing the same or directing a dissolution or modification thereof, as he shall decide. Such order shall be returned by the appellate judge to the clerk's office of the circuit court, and, when filed in such clerk's office, shall have the same effect as an order made by such circuit court.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen
C. W. Anderson, Jr.
W. T. Baker
B. F. Bedford
Reuben J. Boling
Douglas Bolling
Ollie J. Bowen
Wallace Brown
Dr. R. A. Byers
Jas. C. Carter
V. O. Chandler
Floyd Clark
Roscoe Claxon
George S. Clay
J. A. Coleman
Roy Conway
Herbert Cook
Harry Davis
Sam Dever
Stanley S. Dickson
Howard G. Early
Garland Embry
Clarence E. Evans
Walter R. Fannin
T. P. Fitzpatrick
James Garnett, Jr.
G. W. Garrett
Ferd A. Gnau
Eugene Gough
Ben Grogan
Jas. T. Hamilton
C. L. Hammons
W. L. Hampton, Jr.
Thomas W. Hines
Price Holbrook
Clyde S. Howard
Ira W. Hulette
Ben W. Johnson
J. H. Jones
R. T. Kirkman
J. F. Ladd
T. B. McConnell
J. L. McDermott
Lloyd MacDonald
W. F. McGary
John Marshall
D. T. Matlack
Duke Mayfield
W. H. Miller
John B. Mollett
W. E. Mull
Tyler Munford
Rodes K. Myers
J. C. Nickell
Russell O'Neill
Mel Petry
A. W. Pfeiffer
J. C. Ramey
L. K. Rice
Wade H. Riley
Joe E. Robinson
John C. Robinson
W. T. Rollo
A. W. Ross
Carl Scheben
Ray O. Shehan
Dr. B. F. Shields
P. L. Sidebottom
Chester D. Silvers
H. C. Steely
Henry Stewart
Dr. H. S. Swope
W. R. Tapp
J. J. Thomas
R. Van Bever, Jr.
S. J. Wagner
Joseph L. Wall
Henry Ward
W. G. Williams
Charles Wylie

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Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a resolution entitled:

S. Res. 37. Resolution providing for the purchase of copies of the Legislative Digest adopted at the session of one thousand nine hundred and twelve, and every succeeding session since that date, as the official publication for the General Assembly and State and certain other public officials.

Said resolution is as follows, viz.:

Whereas, It is a matter of importance and convenience that each Senator and Representative be advised as to the various and detailed steps of legislation; and,

Whereas, This General Assembly for the past seventeen sessions has approved and adopted as its official publication "The Legislative Digest," a publication under the editorship and management of competent and experienced persons, the purpose of which is to fully advise from day to day the officials and public of the Commonwealth as to matters affecting them in an intelligent and prompt manner: Therefore,

Be it Resolved by the Senate of Kentucky, the House of Representatives concurring:

That the publishers of the Legislative Digest are hereby directed to furnish daily a copy to each member and the clerks of the General Assembly, and to the heads of each State Department during the time of this session. That the publishers are allowed the sum of Ten Dollars for each subscription for the session and the Auditor of Public Accounts is directed to draw his warrant upon the Treasurer for said

amount when such service has been concluded. The total number shall not exceed two hundred (200) copies, which are to be paid for under this resolution.

Ordered that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

C. W. Anderson, Jr.
W. T. Baker
B. F. Bedford
Reuben J. Boling
Wallace Brown
Dr. R. A. Byers
Jas. C. Carter
V. O. Chandler
Roscoe Claxon
J. A. Coleman
Roy Conway
Harry Davis
Sam Dever
Howard G. Early
Garland Embry
Clarence E. Evans
Walter R. Fannin
T. P. Fitzpatrick
James Garnett, Jr.
G. W. Garrett
Ferd A. Gnau
Eugene Gough
Ben Grogan
Jas. T. Hamilton
C. L. Hammons
W. L. Hampton, Jr.
Thomas W. Hines
Clyde S. Howard
Ira W. Hulette
J. H. Jones
R. T. Kirkman
J. F. Ladd
Leslie Larrimore
J. L. McDermott
Lloyd MacDonald
W. F. McGary
Elmer McGlothen
John Marshall
D. T. Matlack
Duke Mayfield
John B. Mollett
W. E. Mull
Tyler Munford
J. C. Nickell
Russell O'Neill
Mel Petry
A. W. Pfeiffer
J. C. Ramey
Hobart Rayburn
Harry C. Records
L. K. Rice
Joe E. Robinson
John C. Robinson
W. T. Rollo
Carl Scheben
Ray O. Shehan
Dr. B. F. Shields
P. L. Sidebottom
Chester D. Silvers
H. C. Steely
Henry Stewart
Dr. H. S. Swope
J. J. Thomas
R. Van Bever, Jr.
Joseph L. Wall
Henry Ward
W. G. Williams
Charles Wylie

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Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 181. An Act fixing and defining a part of the boundary line between the counties of Bell and Harlan as set forth in Chapter 1553 of the Acts of 1867 in Chapter 514 of the Acts of 1873, and so amending such Acts as to so define and so fix said line.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That, whereas, Chapter 1553 of the Acts of the General Assembly of 1867 which established the County of Josh Bell now Bell County and the Acts of the General Assembly of 1873, Chapter 514, which attempted to define the boundary line between the counties of Harlan and Bell, are so vague, indefinite and ambiguous as to render uncertain the location of a part of the boundary line between said counties and that it is important that the boundary line between the said counties be clearly defined and fixed, that the said Acts of the said General Assembly be and they are hereby so amended as to definitely fix and define said lines and that the said descriptions contained in said Acts for said purposes be and they are hereby amended and, in so far as necessary therefor, are repealed so that the said descriptions when so amended read as follows:

"Beginning (as in said Acts set forth) at the narrows on Cumberland River about one (1) mile above the former residence of C. J. Calloway, which beginning is one-half (½) mile above the winding stairs and is on a line of the lands formerly belonging to Wilson B. Saylor and which is at a point about 400 feet below the swinging bridge; thence South 11° 59′ East 530 feet which is with the line formerly between Wm. G. Howard and Wm. S. Howard and which was later the line of Wilson B. Saylor to a point on a top of a cliff; thence with the crest of the ridge and the former line of said Saylor South 76-06 East 315.5- feet; thence South 70-29 East 165.3 feet; thence South 55-30 East 209.1 feet; thence South 16-26 East 137.4 feet; thence South 0-26 East 168.6 feet; thence South 9-28 East 139.4 feet; thence South 34-56 East 100.7 feet; thence South 36-53 East 92 feet to a 14″ hickory; thence South 57-25 East 8838 feet to the hanging rock; thence in a Southernly direction a straight line to a marked stone on the point on the ridge between Black Snake Creek and James Howard Mill Creek to a point 150 feet above the Harlan Seam of coal, said line crossing Pucketts Creek at a point 100 feet above the mouth of Julia's Branch, 1509 feet below the mouth of Rockey Branch and 3041 feet above the mouth of Black Snake Creek; thence along the crest of said ridge with the meanders thereof to Black's Butt on top of the mountain between Pucketts Creek and Browney's Creek; thence with said mountain to the head of James Howard's Mill Creek" and that from said last mentioned call the said description shall run as in said former Acts set forth.

Any part or parts of any Acts or laws in conflict with this amendment are hereby repealed.

Mr. Van Bever moved that said bill be laid on the table.

Said motion was agreed to.

And so said bill was tabled.

A message was received from the Senate, announcing that they had passed a bill which originated in this House, entitled:

H. B. 12. An Act relating to the Government of cities of the third class in the Commonwealth of Kentucky.

With amendments thereto as proposed by the Senate.

(For bill see House Journal of January 29.)

Said amendments as proposed by the Senate are as follows, viz.:

Amend H. B. 12 in Senate by striking from lines 3 and 4, page 3 of the printed bill, the following words: "or at the expiration of the term of the police judge, whichever one shall first expire."

Amend H. B. 12 in Senate, by striking from line 3 of Section 5, on page 3, the words "or police judge" and by striking out the word "or" between the words "mayor" and "police" in line 5, Section 5, and inserting in lieu thereof "and a" and by striking out of line 8 of said section and line 9 the words "or police judge as the case may be".

Amend H. B. 12 in Senate, by striking from line 9 of Section 6, page 4, the words "one hundred" and inserting in lieu thereof the word "fifty" and by striking out of said line the figures "100" and inserting in lieu thereof the figures "50".

Amend H. B. 12 in Senate by striking out the word "fourth" in line 4 of Section 10, on page 8, and inserting in lieu thereof the word "second" and striking out the words "police judge" in line 5 of said section and inserting in lieu thereof the word "mayor" and striking out the words "same

officers'' in line 8 of said section, and inserting in lieu thereof ''election of two commissioners.''

Amend H. B. 12 in Senate, by striking out of line 4, Section 18, on page 10, the words ''an indefinite'' and inserting in lieu thereof the word ''a'' and inserting after the word ''period'' the words ''not exceeding four years''.

Said amendments were each and severally concurred in.

Said bill was then passed, as amended.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen	Chas. P. Farnsley	W. F. McGary
Henry H. Allen	T. P. Fitzpatrick	D. T. Matlack
W. T. Baker	H. Myer Garner	W. H. Miller
B. F. Bedford	James Garnett, Jr.	John B. Mollett
Reuben J. Boling	G. W. Garrett	W. E. Mull
Douglas Bolling	Ferd A. Gnau	Tyler Munford
Ollie J. Bowen	Eugene Gough	Rodes K. Myers
Wallace Brown	Ben Grogan	J. C. Nickell
Dr. R. A. Byers	C. L. Hammons	Russell O'Neill
Jas. C. Carter	W. L. Hampton, Jr.	A. W. Pfeiffer
V. O. Chandler	Clyde S. Howard	J. C. Ramey
Roscoe Claxon	Ira W. Hulette	Hobart Rayburn
George S. Clay	John M. Hunnicut	Harry C. Records
J. A. Coleman	Ben W. Johnson	L. K. Rice
Roy Conway	J. H. Jones	Wade H. Riley
Herbert Cook	R. T. Kirkman	John C. Robinson
Harry Davis	J. F. Ladd	W. T. Rollo
Sam Dever	Leslie Larrimore	A. W. Ross
George W. Dunlap	Robert E. Lee	Carl Scheben
Howard G. Early	T. B. McConnell	Carl Schneider
Clarence E. Evans	J. L. McDermott	Ray O. Shehan
Walter R. Fannin	Lloyd MacDonald	Dr. B. F. Shields

P. L. Sidebottom	W. R. Tapp	W. G. Williams
H. C. Steely	J. J. Thomas	Charles Wylie
Henry Stewart	S. J. Wagner	
Dr. H. S. Swope	Henry Ward	—76

Mr. Douglas Bolling moved that the vote by which said bill was passed, as amended, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Ordered that said bill be delivered to the Enrolling Clerk of this House.

A message was received from the Senate announcing that they had passed a resolution which originated in that body, entitled:

JOINT RESOLUTION

S. Res. 39. A Resolution authorizing suits to be maintained for the recovery of taxes paid under the provisions of Chapter 149 of the Acts of the General Assembly of 1930; prescribing the venue and jurisdiction for the bringing of such suits; the manner in which they may be prosecuted, and waiving any defenses which the Commonwealth might assert on account of limitations and on account of any failure to pay said taxes under protest.

Said resolution is as follows, viz.:

Whereas, The General Assembly of 1930 passed an act which was approved by the Governor on March 17, 1930, which is complied as Chapter 149 of the Acts of the General Assembly of 1930, imposing an excise or license tax on retail merchants and prescribing heavy penalties for the failure to report and pay the taxes therein imposed; and,

Whereas, The principal purpose of said act was to tax chain stores; and

Whereas, The large chain stores and a number of other large stores filed suits in the Federal Courts to enjoin and did enjoin the State from collecting said taxes; and,

Whereas, In the case of Kroger Grocery and Baking Co., et al. v. Lewis, et al., 294 U. S. 550, 55 S. Ct. 525, the Supreme Court of the United States held the aforesaid act to be unconstitutional, and on April 29, 1935, overruled a petition for a rehearing filed on behalf of the Commonwealth of Kentucky in said case; and,

Whereas, By reason of said decision and of the aforesaid suits the large chain stores and other large merchants escaped entirely the payment of said tax; and,

Whereas, Before said act was held unconstitutional a large number of merchants had paid said tax from year to year as and when due to avoid the penalties prescribed in said act; and,

Whereas, The total amount so paid into the State Treasury for the five-year period from the effective date of the act until same was held unconstitutional amounts in the aggregate to $309,136.56; and,

Whereas, The act under which said taxes were paid does not authorize the taxpayers to maintain suits for a refund thereof except within two years from the date said taxes were paid, and then only if paid under protest; and,

Whereas, They are justly entitled to a refund of said taxes, and the limitations imposed in said act have barred the recovery of the taxes paid during the first three years of the operation of said act unless waived by the General Assembly of Kentucky; and,

Whereas, If the State should fail to authorize a refund thereof, the merchants who paid same would thereby be discriminated against in favor of the large chain stores that escaped the payment of said taxes: Now, Therefore,

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

§ 1. Any person, firm, or corporation that paid into the State Treasury of Kentucky any taxes under the provisions of Chapter 149 of the Acts of the General Assembly of 1930 may file suit against the Auditor of Public Accounts to recover the taxes so paid and interest thereon from the date of each payment. If the amount sought to be recovered be less than $200.00, the suit may be filed in the Quarterly Court of Franklin County. If the suit be for more than $200.00, it may be filed in the Franklin Circuit Court. The plaintiff must allege in the petition the amount of taxes paid by the plaintiff in each year and the approximate date of payment, and may maintain one suit for the total amount paid under said act, together with interest thereon from the date of each payment.

§ 2. Prior to the filing of any suit under this resolution the taxpayer shall file with the Auditor of Public Accounts his claim for a refund of the taxes paid under said act, stating the amount and approximate date of each payment.

§ 3. The penalties imposed by Chapter 149 of the Acts of the General Assembly of 1930 being so severe it is deemed and considered that payments of said taxes under the provisions of said act were made under compulsion; and, whether expressly paid under protest or not, any and all defenses based upon failure to pay said taxes under protest hereby are waived.

§ 4. Chapter 149 of the Acts of the General Assembly of 1930 having been held constitutional by the Court of Appeals of Kentucky in the case of Moore, et al. v. State Board of Charities and Corrections, 239 Ky. 729, 40 S. W. (2d) 349, and also having been held constitutional and valid by a three-judge Federal Court in the cases of Kroger Grocery and Baking Co., et al. v. Lewis, et al., 7 Fed. Sup. 438, decided December 20, 1933, and, later having been held unconstitutional by the Supreme Court of the United States on an appeal from the aforesaid decision, finally decided by the Su-

preme Court on March 11, 1935, it is deemed by the General Assembly that the two-year limitation imposed by Section 10 of said Chapter 149 of the Acts of the General Assembly of 1930 and the limitations imposed by Section 163, Kentucky Statutes, Carroll's 1930 Edition, should be and the same hereby are waived and the limitations thereby imposed shall not be pleaded as a defense and shall not be a defense to any claim or suit for a refund of the aforesaid taxes. Provided, however, the waiver of the defenses of limitations herein provided shall only apply to suits filed within sixty days from the effective date of this resolution.

§ 5. If judgment be rendered for plaintiff in any suit brought under the provisions of this resolution, the Auditor of Public Accounts upon presentation to him of an attested copy thereof shall issue his warrant upon the State Treasurer in favor of the plaintiff for the amount of the judgment and when the warrant is presented to the State Treasurer he shall issue his check payable to the payee therein for the amount of the warrant, and both the warrant and the check shall be charged to the General Fund.

Whereas, the budget for the next biennial period will become effective July 1, 1936; and, whereas, the aforesaid taxpayers have paid said taxes under an unconstitutional act and have been deprived of the money so paid without adequate recourse for the recovery thereof, an emergency hereby is declared to exist and this resolution shall become effective immediately upon its passage and approval by the Governor.

Mr. Myers offered the following amendment to said resolution, viz.:

Amend S. Res. 39 by adding the following words on page 2, line 3, after the word "file": "with the Auditor of Public Accounts a sworn statement as to the taxes so paid and interest thereon from the date of payment, and the said Auditor of Public Accounts may, if he deems it necessary, demand additional proof as to the validity of said claim, and if the

Auditor of Public Accounts records show the claim to be valid, he shall issue his warrant upon the State Treasurer in favor of said claimant for the amount due, and when the warrant is presented to the State Treasurer, he shall issue his check payable to the payee therein for the amount of the warrant, and both the warrant and the check shall be charged to the General Fund; provided, further, that in the event the Auditor of Public Accounts refuses to issue his warrant upon the State Treasurer, then in that event any person, firm or corporation may file".

Said amendment was agreed to.

Ordered that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen	J. A. Coleman	Eugene Gough
Henry H. Allen	Roy Conway	Ben Grogan
C. W. Anderson, Jr.	Herbert Cook	Jas. T. Hamilton
W. T. Baker	Sam Dever	C. L. Hammons
Reuben J. Boling	Stanley S. Dickson	W. L. Hampton, Jr.
Douglas Bolling	George W. Dunlap	Price Holbrook
Ollie J. Bowen	Howard G. Early	Clyde S. Howard
Wallace Brown	Clarence E. Evans	Ira W. Hulette
Dr. R. A. Byers	Walter R. Fannin	John M. Hunnicut
Jas. C. Carter	T. P. Fitzpatrick	Ben W. Johnson
V. O. Chandler	H. Myer Garner	J. H. Jones
Floyd Clark	James Garnett, Jr.	O. C. Jones
Roscoe Claxon	G. W. Garrett	R. T. Kirkman
George S. Clay	Fred A. Gnau	J. F. Ladd

Leslie Larrimore	Russell O'Neill	P. L. Sidebottom
J. L. McDermott	Mel Petry	Chester D. Silvers
Lloyd MacDonald	A. W. Pfeiffer	H. C. Steely
W. F. McGary	J. C. Ramey	Henry Stewart
Elmer McGlothen	Hobart Rayburn	Dr. H. S. Swope
John Marshall	Harry C. Records	W. R. Tapp
C. S. Matherly	L. K. Rice	J. J. Thomas
D. T. Matlack	Wade H. Riley	S. J. Wagner
W. H. Miller	W. T. Rollo	Joseph L. Wall
John B. Mollett	A. W. Ross	Henry Ward
W. E. Mull	Carl Scheben	W. G. Williams
Tyler Munford	Carl Schneider	Charles Wylie
Rodes K. Myers	Ray O. Shehan	
J. C. Nickell	Dr. B. F. Shields	—82

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said resolution was passed, as amended, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Dr. Shields moved that the House do now recess until two o'clock P. M.

Said motion was agreed to.

And then the House recessed.

AFTERNOON SESSION

The hour of two o'clock P. M. having arrived, the Speaker resumed the Chair and called the House to order.

At the instance of the Committee on Rules, the House took up for consideration from the Calendar, bills of the following titles, viz.:

S. B. 241. An Act to repeal, amend and re-enact Section 201c-1 to 201c-12, inclusive, Kentucky Statutes, Carroll's 1930 Edition, relating to the issual of free passes and the giving of reduced rates by common carriers, etc.

S. B. 174. An Act repealing and re-enacting Section 3767, Carroll's Kentucky Statutes, relating to the formation of limited partnerships.

Ordered that said bills be read the second time.

The Constitutional provision as to the second reading of said bills at length being dispensed with, said bills were read the second time by their title only.

Ordered that said bills be placed in the Orders of the Day.

Mr. McDermott offered the following resolution, viz.:

Whereas, The constant dust storm rising from the carpet of the House Chamber may cause the members to believe they are representing Kansas or Oklahoma instead of Kentucky: Therefore,

Be It Resolved, That the members of the House of Representatives demand that the carpet in the House Chamber be thoroughly vacuum cleaned and all of the furniture in the House chamber be washed with soap and water during the period between the closing of this session and the next special session or if the carpet will not withstand cleaning it be replaced with some floor material that can be washed with water.

Said resolution was agreed to.

A message was received from the Senate announcing that they had passed bills which originated in this House entitled:

H. B. 60. An Act relating to heirs and devisees.

H. B. 46. An Act to promote safe driving and to remove the reckless and financially irresponsible from the highways.

H. B. 11. An Act relating to the regulation of road houses, etc.

With amendments thereto as proposed by the Senate.

(For bill see House Journal of January 21.)

Said amendments as proposed by the Senate, are as follows, viz.:

Amend H. B. 11 in Senate by striking on page 2 after the word and figures "$5.00" the words: "and that portion of the fee over and above the amount required to pay the usual fee of the County Court Clerk for entering order of the permit shall be paid into the County Treasury as revenue of the County" and insert in lieu thereof the following: "payable to the Treasurer of the Commonwealth of Kentucky".

Amend H. B. 11 in Senate, by adding the following words:

Section 2. A. "Provided however that before a permit is either granted or revoked the court must have the concurrence of the County Attorney entered of record on the order books of the court."

Amend H. B. 11 in Senate, by inserting between the first word "place" and the word "or" in line 1 of Section 1, on page 1, the words "tourist camp" and by striking out the words "or any tourist camp" in line 4 of said Section 1, on

page 1, and inserting in lieu thereof the words "where intoxicating liquor is sold".

Amend H. B. 11 by striking out of lines 8 and 9 of Section 2, on page 3, the words "or to permit them to use in or about the premises intoxicating liquors".

Said amendments were each and severally concurred in.

Said bill was then passed, as amended.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	T. P. Fitzpatrick	W. F. McGary
W. T. Baker	H. Myer Garner	Elmer McGlothen
B. F. Bedford	James Garnett, Jr.	D. T. Matlack
Reuben J. Boling	G. W. Garrett	Duke Mayfield
Douglas Bolling	Fred A. Gnau	W. H. Miller
Ollie J. Bowen	Eugene Gough	John B. Mollett
Wallace Brown	Jas. T. Hamilton	W. E. Mull
Dr. R. A. Byers	C. L. Hammons	Tyler Munford
Jas. C. Carter	W. L. Hampton, Jr.	Rodes K. Myers
V. O. Chandler	Thomas W. Hines	J. C. Nickell
Roscoe Claxon	Price Holbrook	Russell O'Neill
George S. Clay	Clyde S. Howard	Mel Petry
J. A. Coleman	John M. Hunnicut	A. W. Pfeiffer
Roy Conway	Ben W. Johnson	J. C. Ramey
Herbert Cook	J. H. Jones	Hobart Rayburn
Harry Davis	O. C. Jones	Harry C. Records
Sam Dever	J. F. Ladd	L. K. Rice
Stanley S. Dickson	Leslie Larrimore	Wade H. Riley
George W. Dunlap	Robert E. Lee	Joe E. Robinson
Howard G. Early	M. T. McCarthy	John C. Robinson
Garland Embry	T. B. McConnell	W. T. Rollo
Walter R. Fannin	J. L. McDermott	A. W. Ross
Chas. P. Farnsley	Lloyd MacDonald	Carl Scheben

Carl Schneider	H. C. Steely	Henry Ward
Dr. B. F. Shields	Dr. H. S. Swope	W. G. Williams
P. L. Sidebottom	J. J. Thomas	Charles Wylie
Chester D. Silvers	R. Van Bever, Jr.	
Bruce Sloan	Joseph L. Wall	—82

Mr. Myers moved that the vote by which said bill was passed as amended, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

H. B. 188. An Act to amend and re-enact subsection 98a-2, etc., regulating the qualifications and admission to practice law of applicants in the State of Kentucky.

With amendments thereto as proposed by the Senate.

(For bill see House Journal of January 29.)

Said amendments as proposed by the Senate are as follows, viz.:

Amend H. B. 188 by striking out the words in line 17, Section 2, page 2, as follows: "a general average of" and in lieu thereof by substituting the words "as much as". Also by adding after the words "per cent", in line 18, the following: "on each subject".

To amend H. B. 188 as follows: page 2, line 30, as follows: After word "clerk" add following words "or Clerk of U. S. District Court".

Said amendments were each concurred in.

Said bill was then passed, as amended.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen	James Garnett, Jr.	Rodes K. Myers
Henry H. Allen	G. W. Garrett	J. C. Nickell
C. W. Anderson, Jr.	Fred A. Gnau	Mel Petry
W. T. Baker	Eugene Gough	A. W. Pfeiffer
B. F. Bedford	Jas. T. Hamilton	J. C. Ramey
Douglas Bolling	W. L. Hampton, Jr.	Harry C. Records
Ollie J. Bowen	Thomas W. Hines	L. K. Rice
Wallace Brown	Price Holbrook	Wade H. Riley
Dr. R. A. Byers	Clyde S. Howard	John C. Robinson
Floyd Clark	John M. Hunnicut	W. T. Rollo
Roscoe Claxon	J. H. Jones	A. W. Ross
George S. Clay	O. C. Jones	Carl Scheben
J. A. Coleman	R. T. Kirkman	Carl Schneider
Roy Conway	J. F. Ladd	Dr. B. F. Shields
Herbert Cook	Leslie Larrimore	P. L. Sidebottom
Sam Dever	Robert E. Lee	Bruce Sloan
Stanley S. Dickson	T. B. McConnell	J. J. Thomas
George W. Dunlap	J. L. McDermott	R. Van Bever, Jr.
Howard G. Early	W. F. McGary	S. J. Wagner
Garland Embry	Elmer McGlothen	Joseph L. Wall
Clarence E. Evans	D. T. Matlack	Henry Ward
Walter R. Fannin	Duke Mayfield	W. G. Williams
Chas. P. Farnsley	John B. Mollett	
T. P. Fitzpatrick	W. E. Mull	—70

Those who voted in the negative were—

Reuben J. Boling	C. L. Hammons	Ray O. Shehan
Jas. C. Carter	Lloyd MacDonald	Chester D. Silvers
V. O. Chandler	W. H. Miller	H. C. Steely
Harry Davis	Russell O'Neill	Charles Wylie
H. Myer Garner	Hobart Rayburn	—14

Mr. McGlothen moved that the vote by which said bill was passed, as amended, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Ordered that said bills be delivered to the Enrolling Clerk of the House.

The Speaker having vacated the Chair, designated Mr. Joe E. Robinson as Speaker pro tem.

Mr. Dickson of the Committee on Enrollment reported that they had examined and found to be correctly enrolled, bills of the following titles, viz.:

H. B. 203. An Act exempting persons engaged in, connected with or employed on any newspaper, etc.

H. B. 71. An Act relating to suffrage and elections.

Thereupon all other business was suspended, said bills were read at length and compared in open session and found to be correctly enrolled, and thereupon the Speaker pro tem., in open session and in the presence of the House, affixed his signature thereto.

Ordered that the Enrolling Clerk deliver said bills to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled copies of said bills duly signed by the President of the Senate, into the possession of the Chief Clerk of this House.

Ordered that the Chief Clerk deliver said bills to the Governor.

After a time the Chief Clerk reported that he had discharged that duty.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 53. An Act empowering any city or town owning and operating a public water supply system to extend said system into any territory contiguous to and within five miles of its limits, to furnish and sell water therein, to install therein distribution pipes, meters, fire hydrants and other necessary appurtenances, to acquire franchises, rights and rights of way, and to condemn rights or rights of way for said purposes, and declaring an emergency to exist.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That any city or town in the Commonwealth of Kentucky, owning or operating a system of public water supply, shall have the power to extend said system into, and to furnish and sell water to any person or corporation within, any territory contiguous to said city that lies within five miles of the corporate limits thereof, and to install within said territory distribution pipes, meters, fire hydrants and other necessary appurtenances; and to carry out said purpose may acquire franchises, rights and rights of way, and may condemn said rights or rights of way as private corporations may do.

§ 2. Inasmuch as various communities in the neighborhood of cities and towns of this Commonwealth are in urgent need of public water supply and fire protection, an emergency is declared to exist, and this act shall become immediately effective upon its passage and approval.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen
B. F. Bedford
Reuben J. Boling
Douglas Bolling
Wallace Brown
Dr. R. A. Byers
Jas. C. Carter
V. O. Chandler
Floyd Clark
Roscoe Claxon
George S. Clay
J. A. Coleman
Roy Conway
Herbert Cook
Sam Dever
Howard G. Early
Garland Embry
Walter R. Fannin
T. P. Fitzpatrick
G. W. Garrett
Fred A. Gnau
Eugene Gough
James T. Hamilton
C. L. Hammons
W. L. Hampton, Jr.
Thomas W. Hines
Price Holbrook
Clyde S. Howard
John M. Hunnicut
Ben W. Johnson
J. H. Jones
O. C. Jones
R. T. Kirkman
J. F. Ladd
Robert E. Lee
T. B. McConnell
J. L. McDermott
Lloyd MacDonald
Elmer McGlothen
D. T. Matlack
Duke Mayfield
W. H. Miller
John B. Mollett
W. E. Mull
Tyler Munford
Russell O'Neill
Mel Petry
A. W. Pfeiffer
J. C. Ramey
Hobart Rayburn
Harry C. Records
L. K. Rice
Wade H. Riley
Joe E. Robinson
John C. Robinson
W. T. Rollo
A. W. Ross
Carl Scheben
Carl Schneider
Ray O. Shehan
Dr. B. F. Shields
P. L. Sidebottom
Chester D. Silvers
Bruce Sloan
H. C. Steely
Dr. H. S. Swope
J. J. Thomas
R. Van Bever, Jr.
S. J. Wagner
Joseph L. Wall
Henry Ward
W. G. Williams
Charles Wylie

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Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Mr. Gough moved that the Rules of this House be suspended and that a bill entitled:

S. B. 156. An Act to prohibit distribution and sale in Kentucky of goods manufactured by prison labor.

Be taken from the Committee on Rules for the purpose of immediate consideration.

Said motion was disagreed to.

The yeas and nays being required thereon by Messrs. Gough and McCarthy, were as follows, viz.:

Those who voted in the affirmative were—

C. W. Anderson, Jr.	G. W. Garrett	W. E. Mull
Jas. C. Carter	Fred A. Gnau	Tyler Munford
V. O. Chandler	Eugene Gough	Russell O'Neill
Roscoe Claxon	Jas. T. Hamilton	Mel Petry
J. A. Coleman	C. L. Hammons	L. K. Rice
Roy Conway	Thomas W. Hines	Wade H. Riley
Herbert Cook	Price Holbrook	W. T. Rollo
Clarence E. Evans	John M. Hunnicut	Carl Schneider
Chas. P. Farnsley	Leslie Larrimore	Ray O. Shehan
H. Myer Garner	W. H. Miller	J. J. Thomas
James Garnett, Jr.	John B. Mollett	R. Van Bever, Jr.

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Those who voted in the negative were—

F. T. Allen	Ira W. Hulette	Elmer McGlothen
Henry H. Allen	J. H. Jones	D. T. Matlack
Douglas Bolling	O. C. Jones	Rodes K. Myers
Sam Dever	R. T. Kirkman	J. C. Nickell
Stanley S. Dickson	J. F. Ladd	A. W. Pfeiffer
George W. Dunlap	M. T. McCarthy	J. C. Ramey
Walter R. Fannin	T. B. McConnell	Harry C. Records
W. L. Hampton, Jr.	J. L. McDermott	Joe E. Robinson

John C. Robinson	Bruce Sloan	Charles Wylie	
Carl Scheben	Joseph L. Wall		
P. L. Sidebottom	W. G. Williams		—31

Mr. Gnau moved that Miss Ann Conway be appointed Honorary Page of this House.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 110. An Act making it a misdemeanor punishable by fine and imprisonment for anyone failing and refusing to extinguish any fire that he may originate or start for any purpose within the territory of any forest reserve or park or other woodland within the confines of the Commonwealth of Kentucky, or over which it or the Federal Government has power and authority of regulatory control.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. It is hereby made the duty of any person who starts or consents to starting, or originates, any fire for any purpose within the boundaries of any forest lands within the Commonwealth, whether they be public forest reserves or public parks or not, to totally extinguish such fires before leaving them unprotected, and if he should fail to do so and should abandon same whereby damage and injury is produced to growing timber on land upon which the fire was started, or to which it may be communicated, he shall be guilty of a misdemeanor and upon conviction shall be fined not less than ten dollars nor more than one hundred dollars, or imprisoned in the county jail not less than ten days nor more than one hundred days, or both fined and imprisoned at the discretion of the court or jury trying the case.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

She yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	James Garnett, Jr.	W. E. Mull
C. W. Anderson, Jr.	G. W. Garrett	Tyler Munford
W. T. Baker	Fred A. Gnau	Rodes K. Myers
B. F. Bedford	C. L. Hammons	J. C. Nickell
Reuben J. Boling	W. L. Hampton, Jr.	Russell O'Neill
Douglas Bolling	Thomas W. Hines	Mel Petry
Ollie J. Bowen	Price Holbrook	A. W. Pfeiffer
Dr. R. A. Byers	Clyde S. Howard	J. C. Ramey
Jas. C. Carter	Ira W. Hulette	Hobart Rayburn
V. O. Chandler	John M. Hunnicut	Harry C. Records
Floyd Clark	Ben W. Johnson	L. K. Rice
Roscoe Claxon	O. C. Jones	Wade H. Riley
George S. Clay	R. T. Kirkman	John C. Robinson
J. A. Coleman	J. F. Ladd	W. T. Rollo
Roy Conway	Leslie Larrimore	A. W. Ross
Herbert Cook	Robert E. Lee	Carl Scheben
Harry Davis	T. B. McConnell	Carl Schneider
Sam Dever	J. L. McDermott	Ray O. Shehan
Stanley S. Dickson	Lloyd MacDonald	P. L. Sidebottom
George W. Dunlap	W. F. McGary	Bruce Sloan
Howard G. Early	Elmer McGlothen	H. C. Steely
Garland Embry	C. S. Matherly	W. R. Tapp
Walter R. Fannin	D. T. Matlack	J. J. Thomas
Chas. P. Farnsley	Duke Mayfield	S. J. Wagner
T. P. Fitzpatrick	W. H. Miller	Henry Ward
H. Myer Garner	John B. Mollett	Charles Wylie

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Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 329. An Act relating to public roads and bridges; providing State aid for the improvement, reconstruction and maintenance of county roads; prescribing certain duties of the State Highway Commission and the Fiscal Courts in relation thereto; making an annual appropriation from the State Road Fund; repealing all laws and parts of laws in conflict with this Act, and declaring an emergency.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby appropriated out of the State Road Fund the sum of Two Million ($2,000,000.00) Dollars annually, beginning April 1, 1936, to be used by the State Highway Commission for the improvement, reconstruction and maintenance of county roads and bridges which have not been accepted by the State Highway Commission for maintenance.

§ 2. The State Highway Commission, as soon as practical after April 1, 1936, shall allocate, set apart, and include in its Budget the sum of Two Million ($2,000,000.00) Dollars for each fiscal year to be used for the purposes set forth in Section 1 of this Act. Said sum shall be apportioned to each of the several counties of this Commonwealth on the basis of the ratio which the square-mile area of the county bears to the total square-mile area of this Commonwealth. The

amount so apportioned to each county, subject to the conditions and restrictions imposed by this Act, shall be expended by the State Highway Commission in that county for the maintenance, reconstruction, and improvement of the county roads and bridges which have not been accepted by the State Highway Commission for maintenance as a part of the State Primary Road System.

§ 3. The funds apportioned the several counties by Section 2 of this Act shall be used for the purposes provided herein by the State Highway Commission in accordance with previously agreed to and accepted plans prepared jointly by the Fiscal Courts of the several counties and the State Highway Commission, or prepared by one or the other and jointly approved. Said plans shall take into consideration the mileage of county roads in the particular county, the condition and needs of such roads and the manner in which said funds shall be expended by the State Highway Commission for the fiscal year to which the agreement applies. Said plan for each county shall be formulated and agreed to as soon as practicable after the effective date of this Act, for the then current fiscal year and annually thereafter. If at the end of any fiscal year of the State Highway Commission, any county or counties have failed or refused to comply with the provisions of this Act the funds apportioned said county or counties for that year shall, to the extent that same has not been obligated by the joint agreement between the Highway Commission and the Fiscal Court of the county, be released and shall revert to the State Highway Fund for such other uses as the State Highway Commission may determine.

§ 4. All of the funds appropriated and made available for use under the provisions of this Act shall be expended by or under the direction of the State Highway Commission of Kentucky, and no part of the funds appropriated or made available by the provisions of this Act in any event shall be turned over to the Fiscal Court of or to any county.

§ 5. In order to provide for the simplification of the administration, and for as nearly as practical the uniform operation of this Act, the State Highway Commission is hereby authorized to prescribe such reasonable rules and regulations, not inconsistent with the provisions of this Act, as it may deem necessary and proper for the information and guidance of the Fiscal Courts of the several counties.

§ 6. Nothing in this Act shall be construed as prohibiting any county from spending county road funds for the further and additional maintenance, reconstruction and improvement of county roads.

§ 7. Whereas, the next ensuing fiscal year of the State Highway Commission will begin April 1, 1936, and,

Whereas, it is deemed important by the General Assembly that the benefits to the counties which this Act provides should be made available promptly in order to enable the State Highway Commission and the Fiscal Courts of the respective counties to make plans and agreements for the next ensuing fiscal year, an emergency is hereby declared to exist and this Act shall become effective immediately upon its passage and approval by the Governor.

Mr. Myers offered the following amendments to said bill, viz.:

1. Amend S. B. 329 by inserting before word "basis" the word "following" in line 6 of printed bill.

2. Amend S. B. 329 by inserting " :" (colon) after word "basis" in line 6 of printed bill.

3. Amend S. B. 329 by inserting before word "of" in line 6, the following: "One third of the sum allocated shall be apportioned equally between the one hundred and twenty counties. One third of the sum allocated shall be apportioned among the several counties on the basis of the ratio which the population of each county bears to the total population of this Commonwealth and one third of the sum allocated shall be apportioned among the several counties on the basis".

Said amendments were each and severally agreed to.

Mr. Myers moved the Previous Question.

Thereupon the Speaker announced "Shall the Main Question be now put?"

Which was decided in the affirmative.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only and passed, as amended.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen	Stanley S. Dickson	Ira W. Hulette
Henry H. Allen	George W. Dunlap	Ben W. Johnson
W. T. Baker	Howard G. Early	J. H. Jones
B. F. Bedford	Garland Embry	O. C. Jones
Reuben J. Boling	Clarence E. Evans	R. T. Kirkman
Douglas Bolling	Walter R. Fannin	J. F. Ladd
Ollie J. Bowen	Chas. P. Farnsley	Leslie Larrimore
Wallace Brown	T. P. Fitzpatrick	Robert E. Lee
Dr. R. A. Byers	H. Myer Garner	M. T. McCarthy
Jas. C. Carter	G. W. Garrett	T. B. McConnell
V. O. Chandler	Eugene Gough	J. L. McDermott
Floyd Clark	Ben Grogan	Lloyd MacDonald
Roscoe Claxon	Jas. T. Hamilton	W. F. McGary
George S. Clay	C. L. Hammons	Elmer McGlothen
J. A. Coleman	W. L. Hampton, Jr.	John Marshall
Roy Conway	Thomas W. Hines	C. S. Matherly
Herbert Cook	Price Holbrook	D. T. Matlack
Sam Dever	Clyde S. Howard	Duke Mayfield

John B. Mollett	Wade H. Riley	H. C. Steely
Rodes K. Myers	Joe E. Robinson	W. R. Tapp
J. C. Nickell	John C. Robinson	J. J. Thomas
Russell O'Neill	A. W. Ross	R. Van Bever, Jr.
Mel Petry	Carl Scheben	S. J. Wagner
A. W. Pfeiffer	Carl Schneider	Joseph L. Wall
J. C. Ramey	Ray O. Shehan	Henry Ward
Hobart Rayburn	Dr. B. F. Shields	W. G. Williams
Harry C. Records	P. L. Sidebottom	Charles Wylie
L. K. Rice	Bruce Sloan	—83

Those who voted in the negative were—

C. W. Anderson, Jr.	John M. Hunnicut	Tyler Munford
Harry Davis	G. S. Milam	W. T. Rollo
James Garnett, Jr.	W. H. Miller	Chester D. Silvers
Fred A. Gnau	W. E. Mull	—11

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed, as amended, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Mr. Conway requested that the Journal of the House show that he opposed the amendments to said bill as offered by Mr. Myers and adopted by the House.

Ordered that the Chief Clerk make a suitable entry on the Journal of the House.

A message was received from the Senate announcing that they had passed bills which originated in this House, entitled:

H. B. 561. An Act to amend Section 256 of the Constitution of the Commonwealth of Kentucky prescribing the mode of amendment of said Constitution.

H. B. 274. An Act relating to the registration of automobiles and trucks and providing for the change of the registration day, etc.

H. B. 314. An Act relating to the form, arrangement and printing of ballots in general elections.

Ordered that said bills be delivered to the Enrolling Clerk of this House.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 182. An Act providing the means whereby the sense of the people of any county, city, town, district or precinct may be taken as to whether spirituous, vinous or malt liquors shall be sold, bartered or loaned therein; providing for committees of interested parties and their representation at the election; providing a means for contesting said election; prohibiting the sale, loaning, furnishing or giving of intoxicating liquors on the day of election; defining spirituous, vinous, or malt liquors and other terms; prohibiting the sale, barter, loan procurement and giving of such liquors, and the possession and transportation thereof for said purposes, in territory voting therefor, excepting sacramental wine and certain other alcoholic liquors and uses, and sales by distillers and manufacturers; declaring certain acts and conditions as nuisances and providing for the abatement of same and forfeitures of property in certain instances; providing for searches and seizures; declaring the duties of courts, judges

and other officers conferring jurisdiction upon inferior courts concurrent with circuit courts; and providing for enforcement of the Act and penalties for its violation.

With an amendment thereto by way of Substitute therefor as offered by the Committee on Rules.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

DIVISION I

§ 1. *Definitions.* As used in this act the following terms, unless the text otherwise indicates, shall have the following meaning respectively.

(a) "Local option territory" or "territory" means such county, city, town, district or precinct for which a petition shall be filed asking for an election to take the sense of the voters regarding the sale, barter and loan of intoxicating liquors as provided, and such governmental unit where a majority shall have voted in favor of prohibiting the sale, barter or loan of said liquors or the possession or transportation thereof.

(b) "Spirituous, vinous or malt liquors" means, respectively, intoxicating liquor. "Intoxicating liquor" means alcoholic brandy, whiskey, rum, gin, beer, ale, porter and wine, and in addition thereto any spirituous, vinous, malt or fermented liquors, liquids and compounds, whether medicated, proprietary, patented or not, and by whatever name called containing one per centum or more of alcohol by volume which are fit for use for beverage purposes.

(c) The word "person" includes the singular and plural number, and shall mean and include a natural person, association, co-partnership or corporation.

(d) "Election" means an election to be held for the purpose of taking the sense of the people as to the prohibition or permission of the sale, barter or loan of spirituous, vinous or malt liquors in any territory.

(e) "Prohibition" means that the sale, barter or loan of intoxicating liquors have been rendered unlawful under the terms of this act.

(f) "Local option law" refers to the provisions of this act.

DIVISION II

§ 2. *Petition for election.* Upon application by written petition filed with the clerk of the county court of any county signed by a number of legal voters in said county, or any city, town, district or precinct thereof to be affected, equal to twenty-five (25) per cent of the votes cast in said territory at the last preceding general election, it shall be the duty of the judge of the county court of such county at the current or the next regular term of said court thereafter to make an order on the order book of said court directing an election to be held in such county, city, town, district or precinct to be affected thereby for the purpose of taking the sense of the legal voters of such county, city, town, district or precinct upon the proposition whether or not spirituous, vinous or malt liquors shall be sold, bartered or loaned therein.

§ 3. *Subscription to petition.* Said petition, in addition to the subscription of the name of the voter, shall state his postoffice address and the correct date upon which same was signed. No such subscriber shall be permitted to withdraw his name or have it taken from such petition after same shall have been filed as aforesaid. Provided, that if the name of any person shall have been subscribed to such petition without his authority, he may appear before the county judge before said election shall be ordered held and upon proof to that effect his name may be eliminated by an order of the

court and when so eliminated, the same shall not be counted as a petitioner. Said petition may consist of one or more separate units.

§ 4. *Day of election.* The day upon which the election shall be held may be stated in the petition. If it is not so stated, it shall be designated by the county judge; provided

(a) The election shall not be earlier than sixty nor later than ninety days after the date said application is lodged in the office of the clerk of the county court.

(b) The election shall not be held on the same day that a primary or general election is held in the territory or any part thereof, nor within thirty days next preceding or following a regular political election.

(c) No election in any territory less than the county shall be held on the same day on which an election for the entire county is held.

(d) No election shall be held in the same territory oftener than once in every three years.

§ 5. *Notice of election.* Within five days after said order of the county court calling an election is made, it shall be the duty of the county clerk to give to the sheriff of the county a certified copy of the same. It shall then be the duty of the said sheriff to have same published in some weekly or daily newspaper published in the county for at least two weeks before the election, and also to advertise same by written or printed handbills posted at not less than five conspicuous places in each precinct of the county for the same length of time when the election is held for the entire county; and when the election is ordered held in a city, town, district or precinct, then at five conspicuous places therein for the same length of time. In case there is no daily or weekly newspaper published in the county, or the proprietor of such newspaper refuses to publish said advertisement, the printed or written handbills posted as herein provided for shall be suf-

ficient. It shall be the duty of the sheriff to report in writing to the county court that the notices have been duly published and posted.

§ 6. *Form of ballot.* The proposition to be voted upon shall be stated on the ballot without emblems and two spaces left upon the right side of same, one for votes favoring the proposition to be designated by the word "Yes," and one for votes opposing it to be designated by the word "No." The elector shall designate his vote by a cross mark, thus (X), placed opposite the word "Yes" or the word "No." Whenever at the time of the election intoxicating liquor is being legally sold in the territory the form of the proposition may be thus stated:

Are you in favor of adopting the local option law in (Name of county, city, town, district or precinct)? Yes ☐ No ☐.

Whenever at the time of the election intoxicating liquor is not being legally sold in the territory the form of the proposition may be thus stated:

Are you in favor of continuing the local option law in effect in (Name of county, city, town, district or precinct)? Yes ☐ No ☐.

§ 7. *Elections according to general laws; duties of officers; cost.* The election, including the canvass and counting of the ballots, shall be held in accordance with the provisions of the general election laws of the State, and the duties of all officers pertaining thereto shall devolve upon and shall be performed by each of them in relation to said election the same as in general elections, except as same may be modified by or are inconsistent with the terms of this Act.

The cost of the election shall be borne by the county and allowed by the fiscal court and paid in the same manner as costs and expenses of general elections.

§ 8. *Election offenses.* Any act or deed denounced as an offense by the general laws of the State concerning elections shall also be an offense in elections held under the provisions of this Act, and shall be punished in the same form and manner as is provided for the punishment of similar offenses by the general laws.

§ 9. *Citizens' committee.* Not more than twenty days prior to an election any group of citizens or committee which in good faith advocates or opposes the proposition to be submitted may file with the chairman of the county election commission a petition asking that such petitioners be recognized as the committee entitled to nominate election officers and challengers and witnesses to the count of the ballots and certification of the results, and to name guards to assist in guarding the ballot boxes during such period of time as said committee may desire. If more than one group claim the right to such recognition as representing the respective opponents by filing such petition, the county board of election commissioners shall promptly decide and publicly announce which committee is entitled to nominate such officers, challengers, witnesses and guards. Such decision, however, shall not be final, but any aggrieved party may institute proceedings in the county court, and upon hearing the county judge shall determine which of such committee shall be recognized.

§ 10. *Election officers, challengers and witnesses.* The respective committees advocating and opposing the proposition shall each file with the chairman of the election commission before the time designated for the selection of officers a list of not more than four persons possessing the qualifications of election officers for each voting precinct, and it shall be the duty of the election commission to appoint said officers from such lists, as provided in the next following section. Said committees may sign and issue certificates designating challengers at the respective polls and witnesses to the count

of the ballot in the same manner as political committees under the provisions of the general election laws.

§ 11. *Appointing election officers, challengers, witnesses and guards.* The county election commission not more than fifteen and not less than ten days before the day appointed for the holding of the election shall appoint special officers to conduct the same in the manner provided by law, except they shall make equal division between those favoring and opposing the proposition instead of between opposing political parties. The same equal division of challengers at the polls, of witnesses at the count, and of guards to guard the boxes, shall be made.

§ 12. *Certification of result.* The result of said election shall be certified by the election commission and the certificate shall be immediately lodged with the county court clerk and by him safely kept until the next regular term of the county court, at which time the judge of said court shall have same spread on the order book. The entry of said certificate, or an attested copy thereof, shall be prima facie evidence in proceedings under this Act.

§ 13. *Contests.* Any qualified elector may demand a recount of the ballots or contest the election in the same manner as is now provided by law for the recount of ballots or contest of general elections of county officers, being Section 1596a-12 of Baldwin's Supplement to Kentucky Statutes of 1933. The members of the county election commission shall be named as contestees and process shall be served upon them. But any qualified elector may intervene by filing a petition to be made a party in the action, and he shall thereupon become a contestee.

§ 14. *Sale on election day prohibited.* Upon each day that an election is held under the provisions of this Act, all saloons and other places where intoxicating liquors are sold by authority of law in the county in which said territory af-

fected is situated shall be closed and shall be kept closed during the whole of said day. It shall be unlawful during said day for any person in said county to sell, loan, furnish or give to any person any intoxicating liquor except in such cases as are excluded from the provisions of this Act. Any person found guilty under the provisions of this section shall be subject to the penalties prescribed in Section 28 of this Act.

§ 15. *Effective date of local option law; refund of portion of licenses paid.* Whenever a majority of the votes cast at an election shall be in favor of prohibiting the sale of intoxicating liquor in the territory in which the election shall have been held, the law prohibiting the same shall be in force and effect at the expiration of sixty days from the date of the entry of the certificate of the election commission in the order book of the county court. After the expiration of said period, no license theretofore issued in said territory under the laws of this State shall be of any force or effect, but the owner of said license shall be entitled to recover from the county, city, town or district, to which the license money was paid, such proportional part thereof as the unexpired period of the license bears to the whole period covered thereby.

§ 16. *Rejection of local option law; effective date.* Whenever a majority of the votes cast at an election favor the discontinuance of the local option law in the territory in which the election shall have been held (the said law having been previously in effect in such territory) the same shall be in force and effect at the expiration of sixty days from the date of the entry of the certificate of the election commission in the order book of the county court.

§ 17. *Effect of county adopting.* When an election is held in an entire county and the majority of votes cast at said election are against the sale, barter or loan of intoxicating liquor, then the terms of Division III of this Act shall be applicable to every portion of said county. If at such election for the entire county the majority of votes cast are in favor of the

sale, barter or loan of such liquors, said vote shall not operate to make the terms of Division III of this Act inapplicable in any territorial division of said county where the local option law has been previously adopted, but the status of such territorial division shall remain as if no such election had been held.

DIVISION III

§ 18. *Prohibition in local option territory.* Whenever prohibition shall have become effective under the provisions of this Act through the adoption by a majority vote, it shall be unlawful for any person in such local option territory to sell, barter, loan, give, procure for or furnish another, or keep or transport for sale, barter or loan, directly or indirectly, any spirituous, vinous or malt liquors, or intoxicating liquor, as defined in Section 1 of this Act; subject, however, to the specific exceptions contained in this Act and not otherwise.

§ 19. *Soliciting or receiving orders, or advertising sales unlawful.* It shall be unlawful for any person, while representing either the buyer or seller, to distribute, solicit or receive contracts, proposals or orders for the purchase or sale of any intoxicating liquors, or to distribute any bandbills or posters advertising the same in local option territory. Each act of distributing, soliciting, or receiving contracts, proposals or orders as denounced herein, and each day in which advertising matter is distributed, shall constitute a separate offense; provided that nothing herein shall be construed to prevent any distiller or manufacturer of intoxicating liquors, or any authorized agent of a distiller or manufacturer, or wholesale dealer from making contracts of barrel, case or package lots in any such territory where their distillers, breweries, wineries or warehouses are located to be shipped into territory where the sale of such liquors may be lawful either in or out of the State.

§ 20. *Unlawful to transport intoxicating liquor into local option territory.* It shall be unlawful for any person, or

public or private carrier, to bring into, transfer to another, deliver or distribute in any local option territory any intoxicating liquor regardless of the name by which it may be called. Each package of such liquor so brought, transferred or delivered in such territory shall constitute a separate offense.

§ 21. *Receiving or accepting liquor.* It shall be unlawful for any person in such territory to receive or accept any intoxicating liquor from a common carrier, or from any other person who has transported such liquor in or into such territory for compensation, hire or profit of any kind whatever, either directly or indirectly. Each and every package of said intoxicating liquor so received or accepted shall constitute a separate offense.

§ 22. *Shipments in transit not affected.* The provisions of the foregoing two sections shall not apply to the transportation of such liquor through local option territory to a point or destination in some other State, or to a point in this State where intoxicaing liquor may be lawfully sold; nor to the receipt or acceptance by a common carrier from a distiller or manufacturer for transportation to a point in another State or to a point in this State where the sale of intoxicating liquor is not prohibited by law; nor shall they apply to one taking wine into such territory and delivering the same to an officer of a church to be used for sacramental purposes.

§ 23. *Where Sale Takes Place in C. O. D. shipments.* All shipments of intoxicating liquor to be paid for on delivery, commonly called C. O. D. shipments, into local option territory shall be lawful and shall be deemed sales at the place where the money is paid or the goods delivered. The carrier and his agents selling or delivering such goods shall be severally liable with the vendor thereof.

§ 24. *Renting of property, or hiring vehicle for transportation; forfeiture; sale of property; prior liens; extent of forfeiture.* Any person knowingly or intentionally renting, hiring, letting, lending, leasing or permitting the use of, or

using, any building, house, structure or premises, or part thereof, or any automobile or other vehicle or the animal used in hauling the same, for the purpose of unlawfully selling or transporting or possessing intoxicating liquors, shall be considered guilty of a nuisance and of a violation of this Act. Any property so used shall become forfeited to the Commonwealth of Kentucky. Any Commonwealth's Attorney, county attorney, mayor of a city or town, or any private citizen may maintain an action in equity in the name of the Commonwealth of Kentucky upon relation of said officers or citizens against the owner to forfeit such property. In such action evidence of the general reputation of the place or property and of the defendant shall be admissible. Upon a judgment of forfeiture, the court shall direct the sheriff to sell the property. Said sale shall be had in the same manner as sales under the execution, and the same fees shall be allowed the officers conducting such sale. The sheriff shall pay first out of the purchase money any valid bona fide recorded liens on the said property so sold. The court shall have power in its discretion to order a sale subject to said liens.

If the complaint herein is filed by a citizen, it shall not be dismissed except upon a sworn statement made by a complainant and his attorney, setting forth the reasons why same should be dismissed, and the dismissal approved in writing by the Commonwealth's attorney or the county attorney in open court. If the complainant be filed by a private citizen and a sale ordered, said citizen shall receive 10 per cent of the net proceeds of sale of any property under any judgment of forfeiture, to be ordered paid in the judgment of the court and the sheriff shall pay the same to said citizen out of the proceeds of sale after deducting costs and all valid liens.

No lien on any property so sold shall be paid unless same is recorded prior to the committing of said nuisance; unless the lienor can establish he had no knowledge of said nuisance. The burden shall be upon the lienor to establish same.

The sheriff, after payment of liens, costs and fees, shall pay the balance of the proceeds of sale to the trustee of the jury fund, who shall report same as in all other fines and forfeitures. The forfeiture herein provided for shall extend to the whole of the premises, building or structure owned by the defendant, or to his interest in said property, including all land and buildings in one boundary, and shall not be construed to mean a part thereof.

§ 25. *Abatement of nuisance.* An action to enjoin any nuisance defined in the next preceding section may be brought in the name of the Commonwealth by any Commonwealth's attorney, county attorney or any private citizen. Such action shall be brought and tried as an action in equity and may be brought in any court having jurisdiction to hear and determine equity cases. If it is made to appear by affidavits or otherwise, to the satisfaction of the court, or judge in vacation, that such nuisance exists, a temporary writ of injunction shall forthwith issue restraining the defendant from conducting or permitting the continuance of such nuisance until the conclusion of the trial. If a temporary injunction is prayed for, the court may issue an order restraining the defendant and all other persons from removing or in any way interferring with the liquor or fixtures, or other things used in connection with the violation of this act constituting such nuisance. No bond shall be required in insituting such proceedings. It shall not be necessary for the court to find the property involved was being unlawfully used as aforesaid at the time of the hearing, but on finding that the material allegations of the petition are true, the court shall order that no liquors shall be sold, bartered, or stored in such room, house, building, boat, vehicle, structure or place, or any part thereof. And upon judgment of the court ordering such nuisance to be abated, the court may order that the room, house, building, structure, boat, vehicle, or place shall not be occupied or used for six months thereafter; but the court may, in its discretion,

permit it to be occupied or used if the owner, lessee, tenant, or occupant thereof shall give bond with sufficient surety, to be approved by the court making the order, in the penal and liquidated sum of not less than $500 nor more than $1,000, payable to the Commonwealth of Kentucky, and conditioned that intoxicating liquor will not thereafter be sold, bartered, kept, or otherwise disposed of therein or thereon, and that he will pay all fines, costs, and damages that may be assessed for any violation of this act upon said property.

§ 26. *Transportation of liquor; seizure of property.* When any peace officer shall discover any person in the act of illegally possessing or transporting intoxicating liquors in any automobile, water or air craft, or other vehicle, it shall be his duty to seize at once any and all intoxicating liquors found therein; and to seize said automobile, craft or vehicle, and arrest any person or persons in charge thereof. Upon conviction of the person so arrested, the court shall order the liquor destroyed and shall order a sale by public auction of the property seized. The expenses of keeping and selling the same, and of all valid recorded liens which are established by intervention at any hearing therefor as being bona fide shall be paid out of the proceeds of such sale. The burden of establishing that the property was being used without the knowledge, consent or approval of the owner or lienor of the property shall be upon such owner or lienor. After the satisfaction of such expenses and liens, the court shall direct that the balance of the proceeds be paid to the trustee of the jury fund, who shall transmit same as in all other fines and forfeitures. The court shall order all sales under this Act to be made by the sheriff who shall receive and be allowed the same fees as allowed for sales under execution.

§ 27. *No proprty rights.* No property rights shall exist in any intoxicating liquor unlawfully obtained, possessed, held or used in violation of this Act. The court, upon conviction of the person arrested, shall order the liquor destroyed.

A failure upon the part of the person so ordered to destroy all of said liquor shall be deemed an offense and punished as a violation of this Act.

§ 28. *Penalties for violations.* On a first conviction for a violation of any provision of this Act, except for a violation of a provision for which a particular penalty is herein provided, the defendant shall be fined not less than Twenty Dollars ($20) nor more than One Hundred Dollars ($100), and, if a person, he shall in addition be imprisoned in the county jail for not less than thirty nor more than sixty days. Upon the second conviction for a violation of any provisions of this Act, except for a violation of a provision for which a particular penalty is herein provided, the defendant shall be fined not less than Forty Dollars ($40) nor more than Two Hundred Dollars ($200) and, if a person, he shall in addition be confined in the county jail for not less than sixty nor more than one hundred and twenty days. Upon a third or subsequent conviction for a violation of any provision of this Act, except for a violation of a provision for which a particular penalty is herein provided, the defendant, if a person, shall be confined in the penitentiary for not less than one nor more than two years, and if a corporation, shall be fined not less than One Thousand Dollars ($1,000) nor more than Two Thousand Dollars ($2,000).

§ 29. *Bond for good behavior.* On a first or second conviction for violation of any of the provision sf this Act, the court shall require the defendant, in addition to the penalty inflicted as provided in Section 28 hereof, to execute bond in a sum of not less than Five Hundred Dollars ($500) nor more than One Thousand Dollars ($1,000), to be of good behavior for twelve months and not violate any of the local option laws of this State. If the bond be not executed, the defendant shall be committed to the county jail in default of such bond for a period of sixy days. The order of the trial court, requiring the execution of the peace bond herein provided for, shall not be considered a part of the punishment inflicted under

this Act, but as a security against future violations of its provisions. Said order shall not be subject to appeal.

§ 30. *Evasion of law not allowed.* No trick, device, subterfuge, or pretense shall be allowed to evade the operation or defeat the purpose of this law.

§ 31. *Duty of courts, judges and officers to enforce law; penalty for failure to enforce.* It shall be the duty of the courts and judges of this Commonwealth and all officers and conservators of the peace to enforce the provisions of this Act. Any sheriff, deputy sheriff, policeman, or other peace officer of this Commonwealth, who shall fail to enforce any provision of this Act after receiving information of a violation thereof, or having knowledge of a violation thereof and failing to act thereon, shall be subject to indictment for nonfeasance or malfeasance in office, and upon conviction shall be fined not less than Fifty Dollars ($50) nor more than Two Hundred Dollars ($200), and upon conviction the office held by such officer shall become vacant and the judgment of conviction shall so recite; but such officer shall have the right to appeal to the Court of Appeals.

§ 32. *Courts' concurrent jurisdiction.* Quarterly courts, and the judges thereof, justices of the peace and police courts, shall have concurrent jurisdiction with the circuit court in the trial of all offenses committed in their respective jurisdictions under the provisions of this Act, where the penalty which may be inflicted does not exceed a fine of One Hundred Dollars ($100) and imprisonment in the county jail not exceeding sixty days, and said courts shall always be open for the trial of such offenses.

§ 33. *Charge to grand jury.* It shall be the duty of the judges of the circuit courts to charge the grand juries of the counties within their jurisdiction at each term of court especially concerning the provisions of this Act, and direct said jury to inquire particularly of all violation of its provisions.

§ 34. *Search and seizure; issuance; disposition of property seized.* Any circuit judge, county judge, police judge, or justice of the peace, when the affidavit of an officer, or of any reputable citizen, is filed with him describing the house, building or premises, or vehicle, as nearly as may be where intoxicating liquors are sold or disposed of, or illegally possessed in violation of this Act, shall by his warrant cause any house or building or other place or premises or vehicle to be searched by night or day for the detection of any intoxicating liquors which are kept there for sale or other disposition in violation of this Act, or for intoxicating liquors illegally possessed in violation of this Act, and if admission be not given on demand made the officers enforcing said warrant shall force an entrance into such house, building or other place and seize any intoxicating liquors and arrest the keeper or person in charge of such house, building or other place, or intoxicating liquors, and carry such person before said judge issuing the warrant to be dealt with according to law.

The officer shall carry said intoxicating liquors before the judge issuing said warrant. Any officer receiving a warrant as herein set out shall immediately proceed to execute same on the day received and for a failure to do so shall be fined not less than One Hundred Dollars ($100) nor more than Five Hundred Dollars ($500).

No search warrant as herein provided for shall be quashed if said search warrant and affidavit on which it is based are sufficient on the face thereof. If the search warrant is quashed no property taken by virtue thereof shall be ordered returned or restored unless the person from whose possession same was taken both alleges and proves that he was in lawful possession of said property.

§ 35. *Indictment; allegations of.* It shall not be necessary to allege in any indictment charging the commission of an offense under this Act that a vote was taken or an election held, or any other step relative thereto, in the territory where

said offense is charged to have been committed, but it may be simply stated that the act or acts charged were committed in local option territory. And in said indictment it shall be sufficient to designate said act as in violation of the local option law.

§ 36. *Witness may not refuse to answer.* No witness before a grand jury, court of inquiry or on a trial for any violation of this Act shall be permitted to refuse to answer any question because the answer will incriminate himself; but this evidence shall not be used against him in any subsequent proceedings, and such witness shall not be prosecuted for any offense disclosed in such testimony.

§ 37. *Burden of proof upon defendant.* No person shall possess, or have in possession, any intoxicating liquor unless same shall have been lawfully acquired and is intended to be used lawfully; and in any suit, prosecution, proceeding or action or motion, the burden of proving that same was lawfully acquired and is intended to be used lawfully shall be upon the defendant or defendants.

§ 38. *General reputation of defendant admissible in evidence.* In any prosecution or proceeding for any violation of this Act, the general reputation of the defendant for bootlegging or being engaged in selling, or trading in, or keeping for sale, or transporting for sale shall be admissible in evidence against said defendant or defendants.

§ 39. *United States tax; effect of possession.* The possession of a United States special tax stamp, commonly called a United States license, for carrying on the business of a retail dealer in spirituous, vinous or malt liquors, or having such tax stamp or license at the place of business in such territory, shall be prima facie evidence of guilt under this Act. An attested copy of the record of the office of the United States Collector of Internal Revenue or any other office issuing such license showing its issuance shall be admissable in evidence on any trial or proceeding under this Act.

§ 40. *Articles not subject to provisions of act; wine for sacramental purposes.* The articles enumerated in this section shall not be subject to the provisions of this Act if they correspond to the following descriptions and limitations, namely:

(a) Denatured alcohol or denatured rum produced and used as provided by laws and regulations now or hereafter in force.

(b) Medicinal preparations manufactured in accordance with formulas prescribed by the United States Pharmacopoeia, national formulary or the American Institute of Homeopathy, that are unfit for use for beverage purposes.

(c) Patented, patent and proprietary medicines that are unfit for use for beverage purposes.

(d) Toilet, medicinal and antiseptic preparations and solutions that are unfit for use for beverage purposes.

(e) Flavoring extracts and syrups that are unfit for use as a beverage or for intoxicating beverage purposes.

(f) Vinegar and preserved sweet cider.

(g) Wine for sacramental purposes.

(h) Alcohol medicated according to such formulas as will render it unfit for beverage purposes and which is to be sold for legitimate external use.

(i) Alcohol for mechanical and scientific purposes if unfit for a beverage.

(j) Any person who shall knowingly sell or give any of the articles mentioned herein for beverage purposes or any extract or syrup for intoxicating beverage purpose, or who shall sell any of the same under circumstances from which the seller might reasonably deduce the intention of the purchaser to use them for such purpose shall be subject to the penalties provided in this Act.

§ 41. *Distillers and manufacturers; when act not applicable.* The provisions of this Act shall not apply to any distiller or manufacturer who in good faith and in the usual

course of trade sells intoxicating liquor of his own make, at his distillery or manufactory, in quantities of not less than three gallons delivered at one time for immediate transportation to a point or destination in some other State, or to a point in this State where inoxicating liquor may be lawfully sold.

§ 42. *Constitutionality.* If any section, paragraph, or part of this Act shall be held to be unconstitutional, the remainder of this Act shall continue effective and enforcible notwithstanding such decision.

§ 43. An emergency is hereby declared to exist, and this Act shall be effective from and after its passage and approval by the Governor.

Said Substitute is as follows, viz.:

S. B. 182. An Act providing the means whereby the opinion of the people of any county, city, town, district or precinct may be taken as to whether spirituous, vinous or malt liquors shall be sold, bartered or loaned therein; providing for committees of interested parties and their representation at the election; providing a means for contesting said election; prohibiting the sale, loaning, furnishing or giving of intoxicating liquors on the day of election; defining spirituous, vinous or malt liquors and other terms; prohibiting the sale, barter, loan, procurement and giving of such liquors, and the possession and transportation thereof for purposes of sale, in territory voting therefor, excepting sacramental wine and certain other alcoholic liquors and uses, and sales by distillers and manufacturers; declaring certain acts and conditions as nuisances and providing for the abatement of same and forfeitures of property in certain instances; providing for searches and seizures; declaring the duties of courts, judges and other officers; providing for en-

forcement of the Act and penalties for its violation; repealing all laws in conflict herewith and declaring an emergency to exist.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

DIVISION I

§ 1. *Definitions.* As used in this act the following terms, unless the text otherwise indicates, shall have the following meanings respectively:

(a) "Local option territory" or "territory" means such county, city, town, district or precinct for which a petition shall be filed asking for an election to take the sense of the voters regarding the sale, barter and loan of intoxicating liquors as provided, and such governmental unit where a majority shall have voted in favor of prohibiting the sale, barter or loan of said liquors or the possession or transportation thereof for purposes of sale.

(b) "Spirituous, vinous or malt liquors" means, respectively, intoxicating liquor. "Intoxicating liquor" means alcoholic brandy, whiskey, rum, gin, beer, ale, porter and wine, spirituous, vinous, malt or fermented liquors, liquids and compounds, whether medicated, proprietary, patented or not and by whatever name called which is intoxicating in fact.

(c) The word "person" includes the singular and plural number, and shall mean and include a natural person, association, co-partnership or corporation.

(d) "Election" means an election to be held for the purpose of taking the sense of the people as to the prohibition or permission of the sale, barter or loan of spirituous, vinous or malt liquors in any territory.

(e) "Prohibition" means that the sale, barter or loan of intoxicating liquors have been rendered unlawful under the terms of this Act.

(f) "Local option laws" refers to the provisions of this Act.

DIVISION II

§ 2-a. *Petition for election.* Upon application by written petition filed with the clerk of the county court of any county signed by a number of legal voters in said county, or any city, town, district or precinct thereof to be affected, equal to twenty-five (25) per cent of the votes cast in said territory at the last preceding general election, it shall be the duty of the judge of the county court of such county at the current or the next regular term of said court thereafter to make an order on the order book of said court directing an election to be held in such county, city, town, district or precinct to be affected thereby, for the purpose of taking the sense of the legal voters of such county, city, town, district or precinct upon the proposition whether or not spirituous, vinous or malt liquors shall be sold, bartered or loaned therein.

§ 2-b. *Subscription to petition.* Said petition in addition to the subscription of the name of the voter, shall state his postoffice address and the correct date upon which same was signed. No such subscriber shall be permitted to withdraw his name or have it taken from such petition after same shall have been filed as aforesaid. Provided, that if the name of any person shall have been subscribed to such petition without his authority, he may appear before the county judge before said election shall be ordered held and upon proof to that effect his name may be eliminated by an order of the court and when so eliminated, the same shall not be counted as a petitioner. Said petition may consist of one or more separate units.

§ 3. The county court shall not make the order for said election until the persons signing the petition for disposition with the County Judge, in money, an amount sufficient to pay for printing or posting advertisement as provided for, and the fees of the Clerk making entries in the order book.

§ 4. *Day of election.* The day upon which the election shall be held may be stated in the petition. If it is not so

stated, it shall be designated by the county judge; provided:

(a) The election shall not be earlier than sixty or later than ninety days after the date said application is lodged in the office of the clerk of the county court.

(b) The election shall not be held on the same day that a primary or general election is held in the territory or any part thereof, nor within thirty days next preceding or following a regular political election.

(c) No election in any territory less than the county shall be held on the same day on which an election for the entire county is held.

(d) No election shall be held in the same territory oftener than once in every three years.

§ 5. *Notice of election.* Within five days after said order of the county court calling an election is made, it shall be the duty of the county clerk to give to the sheriff of the county a certified copy of the same. It shall then be the duty of the said sheriff to have same published in some weekly or daily newspaper published in the county for at least two weeks before the election, and also to advertise same by written or printed handbills posted at not less than five conspicuous places in each precinct of the county for the same length of time when the election is held for the entire county; and when the election is ordered held in a city, town, district or precinct, then at five conspicuous places therein for the same length of time. In case there is no daily or weekly newspaper published in the county, or the proprietor of such newspaper refuses to publish said advertisement, the printed or written handbills posted as herein provided for shall be sufficient. It shall be the duty of the sheriff to report in writing to the county court that the notices have been duly published and posted.

§ 6. *For of ballot.* The proposition to be voted upon shall be stated on the ballot without emblems and two spaces left upon the right side of same, one for votes favoring the

proposition to be designated by the word "Yes" and one for votes opposing it to be designated by the word "No". The elector shall designate his vote by a cross mark, thus (X), placed opposite the word "Yes" or the word "No." Whenever at the time of the election intoxicating liquor is being legally sold in the territory the form of the proposition may be thus stated:

Are you in favor of adopting the local option law in (Name of county, city, town, district or precinct)? Yes ☐ No ☐.

Whenever at the time of the election intoxicating liquor is not being legally sold in the territory the form of the proposition may be thus stated:

Are you in favor of continuing the local option law in effect in (Name of county, city, town, district or precinct)? Yes ☐ No ☐.

§ 7. *Elections according to general laws; duties of officers; cost.* The election, including the canvass and counting of the ballots, shall be held in accordance with the provisions of the general election laws of the State, and the duties of all officers pertaining thereto shall devolve upon and shall be performed by each of them in relation to said election the same as in general elections, except as same may be modified by or are inconsistent with the terms of this Act.

The cost of the election shall be borne by the county and allowed by the fiscal court and paid in the same manner as costs and expenses of general elections.

§ 8. *Election offenses.* Any act or deed denounced as an offense by the general laws of the State concerning elections shall also be an offense in elections held under the provisions of this Act, and shall be punished in the same form and manner as is provided for the punishment of similar offenses by the general laws.

§ 9. *Citizens' committees.* Not more than twenty days prior to an election any group of citizens or committee which

in good faith advocates or opposes the proposition to be submitted may file with the chairman of the county election commission a petition asking that such petitioners be recognized as the committee entitled to nominate election officers and challengers and witnesses to the court of the ballots and certification of the results, and to name guards to assist in guarding the ballot boxes during such period of time as said committee may desire. If more than one group claim the right to such recognition as representing the respective opponents by filing such petition, the county board of election commissioners shall promptly decide and publicly announce which committee is entitled to nominate such officers, challengers, witnesses and guards. Such decision, however, shall not be final, but any aggrieved party may institute proceedings in the county court, and upon hearing the county judge shall determine which of such committees shall be recognized.

§ 10. *Election of officers, challengers and witnesses.* The respective committees advocating and opposing the proposition shall each file with the chairman of the election commission before the time designated for the selection of officers a list of not more than four persons possessing the qualifications of election officers for each voting precinct, and it shall be the duty of the election commission to appoint said officers from such list, as provided in the next following section. Said committees may sign and issue certificates designating challengers at the respective polls and witnesses to the count of the ballot in the same manner as political committees under the provisions of the general election laws.

§ 11. *Appointing election officers, challengers, witnesses and guards.* The county election commission not more than fifteen and not less than ten days before the day appointed for the holding of the election shall appoint special officers to conduct the same in the manner provided by law, except they shall make equal division between those favoring and opposing the proposition instead of between opposing

political parties. The same equal division of challengers at the polls, of witnesses at the count, and of guards to guard the boxes, shall be made.

§ 12. *Certification of results.* The result of said election shall be certified by the election commission and the certificate shall be immediately lodged with the county court clerk and by him safely kept until the next regular term of the county court, at which time the judge of said court shall have same spread on the order book. The entry of said certificate, or an attested copy thereof, shall be prima facie evidence in proceedings under this Act.

§ 13. *Contests.* Any qualified elector may demand a recount of the ballots or contest the election in the same manner as is now provided by law for the recount of ballots or contest of general elections of county officers, being Section 1598a-12 of Baldwin's Supplement to Kentucky Statutes of 1933. The members of the county election commission shall be named as contestees and process shall be served upon them. But any qualified elector may intervene by filing a petition to be made a party in the action, and he shall thereupon become a contestee.

§ 14. *Sale on election day prohibited.* Upon each day that an election is held under the provisions of this Act, all saloons and other places where intoxicating liquors are sold by authority of law in the county in which said territory affected is situated shall be closed and shall be kept closed during the whole of said day. It shall be unlawful during said day for any person in said county to sell, loan, furnish or give to any person any intoxicating liquor except in such cases as are excluded from the provisions of this Act. Any person found guilty under provisions of this section shall be subject to the penalties prescribed in Section 28 of this Act.

§ 15. *Effective date of local option law; refund of portion of license paid.* Whenever a majority of the votes cast at an election shall be in favor of prohibiting the sale of in-

toxicating liquor in the territory in which the election shall have been held, the law prohibiting the same shall be in force and effect at the expiration of sixty days from the date of the entry of the certificate of the election commission in the order book of the county court. After the expiration of said period no license theretofore issued in said territory under the laws of this State shall be of any force or effect, but the owner of said license shall be entitled to recover from the county, city, town or district, to which the license money was paid, such proportional part thereof as the unexpired period of the license bears to the whole period covered thereby.

§ 16. *Rejection of local option law; effective date.* Whenever a majority of the votes cast at an election favor the discontinuance of the local option law in the territory in which the election shall have been held (the said law having been previously in effect in such territory), the same shall be in force and effect at the expiration of sixty days from the date of the entry of the certificate of the election commission in the order book of the county court.

§ 17. *Effect of county adopting.* When an election is held in an entire county and the majority of votes cast at said election are against the sale, barter or loan of intoxicating liquor, then the terms of Division III of this Act shall be applicable to every portion of said county. If at such election for the entire county the majority of votes cast are in favor of the sale, barter or loan of such liquors, said vote shall not operate to make the terms of Division II of this Act inapplicable in any territorial division of said county where the local option law has been previously adopted, but the status of such territorial division shall remain as if no such election had been held.

DIVISION III

§ 18. *Prohibition in local option territory.* Whenever prohibition shall have become effective under the provisions of this Act through the adoption by a majority vote, it shall be

unlawful for any person in such local option territory to sell, barter, loan, give, procure for or furnish another, or keep or transport for sale, barter or loan, directly or indirectly, any spirituous, vinous or malt liquors, or intoxicating liquors, as defined in Section 1 of this Act; subject, however, to the specific exceptions contained in this Act and not otherwise.

§ 19. *Soliciting or receiving orders, or advertising sales unlawful.* It shall be unlawful for any person, while representing either the buyer or seller, to distribute, solicit or receive contracts, proposals or orders for the purchase or sale of any intoxicating liquors, or to distribute any handbills or posters advertising the same in local option territory. Each act of distributing, soliciting, or receiving contracts, proposals or orders as denounced herein, and each day in which advertising matter is distributed, shall constitute a separate offense; provided that nothing herein shall be construed to prevent any distiller or manufacturer of intoxicating liquors, or any authorized agent of a distiller or manufacturer, or wholesale dealer from making contracts of barrel, case or package lots in any such territory where their distilleries, breweries, wineries or warehouses are located to be shipped into territory where the sale of such liquors may be lawful either in or out of the State.

§ 20. *Unlawful to transport intoxicating liquor into local option territory.* It shall be unlawful for any person, or public or private carrier, to bring into, transfer to another, deliver or distribute in any local option territory any intoxicating liquor for purposes of sale regardless of the name by which it may be called. Each package of such liquor so brought, transferred or delivered in such territory shall constitute a separate offense.

§ 21. *Receiving or accepting liquor.* It shall be unlawful for any person in such territory to receive or accept any intoxicating liquor from a common carrier, or from any other person who has transported such liquor in or into such terri-

tory for compensation, hire or profit of any kind whatever, either directly or indirectly. Each and every package of said intoxicating liquor so received or accepted shall constitute a separate offense.

§ 22. *Shipment in transit not affected.* The provisions of the foregoing two sections shall not apply to the transportation of such liquor through local option territory to a point or destination in some other State, or to a point in this State where intoxicating liquor may be lawfully sold; nor to the receipt or acceptance by a common carrier from a distiller or manufacturer for transportation to a point in another State or to a point in this State where the sale of intoxiating liquor is not prohibited by law; nor shall they apply to one taking wine into such territory and delivering the same to an officer of a church to be used for sacramental purposes.

§ 23. *Where sale takes place in C. O. D. shipments.* All shipments of intoxicating liquor to be paid for on delivery, commonly called C. O. D. shipments, into local option territory shall be unlawful and shall be deemed sales at the place where the money is paid or the goods delivered. The carrier and his agents selling or delivering such goods shall be severally liable with the vendor thereof.

§ 24. *Renting of property, or hiring vehicle for transportation; forfeiture; sale of property; prior liens; extent of forfeiture.* Any person knowingly or intentionally renting, hiring, letting, lending, leasing or permitting the use of, or using, any building, house, structure or premises, or part thereof, or any automobile or other vehicle or the animal used in hauling the same, for the purpose of unlawfully selling or transporting or possessing intoxicating liquors for purposes of sale shall be considered guilty of a nuisance and of a violation of this Act.

§ 25. *Abatement of nuisance.* An action to enjoin any nuisance defined in the next preceding section may be brought in the name of the Commonwealth by any Commonwealth's

attorney, county attorney, or any private citizen. Such action shall be brought and tried as an action in equity and may be brought in any court having jurisdiction to hear and determine equity cases. If it is made to appear by affidavits or otherwise, to the satisfaction of the court, or judge in vacation, that such nuisance exists, a temporary writ of injunction shall forthwith issue restraining the defendant from conducting or permitting the continuance of such nuisance until the conclusion of the trial. If a temporary injunction is prayed for, the court may issue an order restraining the defendant and all other persons from removing or in any way interfering with the liquor or fixtures, or other things used in connection with the violation of this act constituting such nuisance. No bond shall be required in instituting such proceedings. It shall not be necessary for the court to find the property involved was being unlawfully used as aforesaid at the time of the hearing, but on finding that the material allegations of the petition are true, the court shall order that no liquors shall be sold, bartered, or stored in such room, house, building, boat, vehicle, structure or place, or any part thereof. And upon judgment of the court ordering such nuisance to be abated, the court may order that the room, house, building, structure, boat, vehicle, or place shall not be occupied or used for six months thereafter; but the court may, in its discretion, permit it to be occupied or used if the owner, lessee, tenant, or occupant thereof shall give bond with sufficient surety, to be approved by the court making the order, in the penal and liquidated sum of not less than $500 nor more than $1,000, payable to the Commonwealth of Kentucky, and conditioned that intoxicating liquor will not thereafter be sold, bartered, kept, or otherwise disposed of therein or thereon, and that he will pay all fines, costs, and damages that may be assessed for any violation of this act upon said property.

§ 26. *Transportation of liquor; seizure of property.* When any peace officer shall discover any person in the act of

illegally possessing or transporting intoxicating liquors for purposes of sale in any automobile, water or air craft, or other vehicle, it shall be his duty to seize at once any and all intoxicating liquors found therein; and to seize said automobile, craft or vehicle, and arrest any person or persons in charge thereof. Upon conviction of the person so arrested, the court shall order the liquor destroyed and shall order a sale by public auction of the property seized. The expenses of keeping and selling the same, and of all valid recorded liens which are established by intervention at any hearing therefor as being bona fide shall be paid out of the proceeds of such sale. She burden of establishing that the property was being used without the knowledge, consent or approval of the owner or lienor of the property shall be upon such owner or lienor. After the satisfaction of such expenses and liens, the court shall direct that the balance of the proceeds be paid to the trustee of the jury fund, who shall transmit same as in all other fines and forfeitures. The court shall order all sales under this Act to be made by the sheriff who shall receive and be allowed the same fees as allowed for sales under execution.

§ 27. *No property rights.* No property rights shall exist in any intoxicating liquor unlawfully obtained, possessed, held or used in violation of this Act. The court, upon conviction of the person arrested, shall order the liquor destroyed. A failure upon the part of the person so ordered to destroy all of said liquor shall be deemed an offense and punished as a violation of this Act.

§ 28. On a first conviction for a violation of any provision of this Act, except for a violation of a provision for which a particular penalty is herein provided, the defendant shall be deemed guilty of a misdemeanor and his punishment fixed at a fine of not less than Twenty Dollars ($20) nor more than One Hundred Dollars ($100) or be imprisoned in the county jail for not less than thirty (30) or more than sixty (60) days either or both in the discretion of a court or a jury.

Upon the second conviction for a violation of any provision of this Act, except for a violation of a provision for which a particular penalty is herein provided, the defendant shall be deemed guilty of a misdemeanor and his punishment fixed at a fine of not less than Forty Dollars ($40) nor more than Two Hundred Dollars ($200) or imprisonment in the county jail for not less than sixty (60) or more than one hundred twenty (120) days either or both in the discretion of a court or jury. Upon a third or subsequent conviction for a violation of any provision of this Act, except for a violation of a provision for which a particular penalty is herein provided, the defendant shall be confined in the penitentiary for not less than one or more than two years and if a corporation, shall be fined not less than One Thousand Dollars ($1,000) nor more than Two Thousand Dollars ($2,000).

§ 29. *Bond for good behavior.* On a second conviction for violation of any of the provisions of this Act, the court shall require the defendant, in addition to the penalty inflicted as provided in Section 28 hereof, to execute bond in a sum not less than Five Hundred Dollars ($500) nor more than One Thousand Dollars ($1000), to be of good behavior for twelve months and not violate any of the local option laws of this State. If the bond be not executed, the defendant shall be committed to the county jail in default of such bond for a period of sixty days. The order of the trial court, requiring the execution of the peace bond herein provided for, shall not be considered a part of the punishment inflicted under this Act, but as a security against future violations of its provisions.

§ 30. *Evasion of law not allowed.* No trick, device, subterfuge, or pretense shall be allowed to evade the operation or defeat the purpose of this law.

§ 31. *Duty of courts, judges and officers to enlorce law; penalty for failure to enforce.* It shall be the duty of the courts and judges of this Commonwealth and all officers and conservators of the peace to enforce the provisions of this

Act. Any sheriff, deputy sheriff, policeman or other peace officer of this Commonwealth, who shall fail to enforce any provision of this Act after receiving information of a violation thereof, or having knowledge of a violation thereof and failing to act thereon, shall be subject to indictment for nonfeasance or malfeasance in office, and upon conviction shall be fined not less than Fifty Dollars ($50) nor more than Two Hundred Dollars ($200), and upon conviction the office held by such officer shall become vacant and the judgment of conviction shall so recite; but such officer shall have the right to appeal to the Court of Appeals.

§ 32. *Charge to grand jury.* It shall be the duty of the judges of the circuit courts to charge the grand juries of the counties within their jurisdiction at each term of court especially concerning the provisions of this Act, and direct said jury to inquire particularly of all violation of its provisions.

§ 33. *Search and seizure; issuance; disposition of property seized.* Any circuit judge, county judge or police judge when the affidavit of an officer, or of any reputable citizen, is filed with him describing the house, building or premises, or vehicle, as nearly as may be where intoxicating liquors are sold or disposed of, or illegally possessed for purposes of sale in violation of this Act, shall by his warrant cause any house or building or other place or premises or vehicle to be searched by night or day for the detection of any intoxicating liquors which are kept there for sale or other disposition in violation of this Act, or for intoxicating liquors illegally possessed for purposes of sale, in violation of this Act, and if admission be not given on demand made the officers enforcing said warrant shall force an entrance into such house, building or other place and seize any intoxicating liquors and arrest the keeper or person in charge of such house, building or other place or intoxicating liquors, and carry such person before said judge issuing the warrant to be dealt with according to law. The officer shall carry said intoxicating liquors before the judge issuing said warrant. Any officer receiving

a warrant as herein set out shall immediately proceed to execute same on the day received and for a failure to do so shall be fined not less than One Hundred Dollars ($100) nor more than Five Hundred Dollars ($500.)

§ 34. *Indictment; allegations of.* It shall not be necessary to allege in any indictment charging the commission of an offense under this Act that a vote was taken or an election held, or any other step relative thereto, in the territory where said offense is charged to have been committed, but it may be simply stated that the act or acts charged were committed in local option territory. And in said indictment it shall be sufficient to designate said act as in violation of the local option law.

§ 35. *Witness may not refuse to answer.* No witness before a grand jury, court of inquiry or on a trial for any violation of this Act shall be permitted to refuse to answer any question because the answer will incriminate himself; but this evidence shall not be used against him in any subsequent proceedings, and such witness shall not be prosecuted for any offense disclosed in such testimony.

§ 36. *Burden of proof upon defendant.* No person shall possess, or have in possession, any intoxicating liquor unless same shall have been lawfully acquired and is intended to be used lawfully; and in any suit, prosecution, proceeding or action or motion, the burden of proving that same was lawfully acquired and is intended to be used lawfully shall be upon the defendant or defendants.

§ 37. *General reputation of defendant admissible in evidence.* In any prosecution or proceeding for any violation of this Act, the general reputation of the defendant for bootlegging or being engaged in selling, or trading in, or keeping for sale, or transporting for sale, shall be admissible in evidence against said defendant or defendants.

§ 38. *United States tax; effect of possession.* The possession of a United States special tax stamp, commonly called

a United States license, for carrying on the business of a retail dealer in spirituous, vinous or malt liquors, or having such tax stamp or license at the place of business in such territory, shall be prima facie evidence of guilt under this Act. An attested copy of the record of the office of the United States Collector of Internal Revenue or any other office issuing such license showing its issuance shall be admissible in evidence on any trial or proceeding under this Act.

§ 39. *Articles not subject to provisions of act; wine for sacremental purposes.* The articles enumerated in this section shall not be subject to the provisions of this Act if they correspond to the following descriptions and limitations, namely:

(a) Denatured alcohol or denatured rum produced and used as provided by laws and regulations now or hereafter in force.

(b) Medicinal preparations manufactured in accordance with formulas prescribed by the United States Pharmacopoeia, national formulary or the American Institute of Homeopathy, that are unfit for use for beverage purposes.

(c) Patented, patent and proprietary medicines that are unfit for use for beverage purposes.

(d) Toilet, medicinal and antiseptic preparations and solutions that are unfit for use for beverage purposes.

(e) Flavoring extracts and syrups that are unfit for use as a beverage or for intoxicating beverage purposes.

(f) Vinegar and preserved sweet cider.

(g) Wine for sacramental purposes.

(h) Alcohol medicated according to such formulas as will render it unfit for beverage purposes and which is to be sold for legitimate external use.

(i) Alcohol for mechanical and scientific purposes if unfit for a beverage.

(j) Any person who shall knowingly sell or give any of the articles mentioned herein for beverage purposes or any

extract or syrup for intoxicating beverage purpose, or who shall sell any of the same under circumstances from which the seller might reasonably deduce the intention of the purchaser to use them for such purpose shall be subject to the penalties provided in this Act.

§ 40. *Distillers and manufacturers; when act not applicable.* The provisions of this Act shall not apply to any distiller or manufacturer who in good faith and in the usual course of trade sells intoxicating liquor of his own make, at his distillery or manufactory, in quantities of not less than three gallons delivered at one time for immediate transportation to a point or destination in some other State, or to a point in this State where intoxicating liquor may be lawfully sold.

§ 41. If any section, paragraph or part of this Act shall be held to be unconstitutional the remainder of this Act shall continue effective and enforceable notwithstanding such decision as is hereby declared the legislative intent that his Act would have been enacted had not such unconstitutional section, paragraph or part of this Act, if there be any, been included therein.

§ 42. All laws or parts of laws in conflict herewith are hereby repealed.

§ 43. Whereas the people of Kentucky in the last General election repealed the seventh amendment the constitution of Kentucky and, whereas there are many counties, cities, towns, districts and precincts wherein the sale of intoxicating liquors is not desired and, whereas there exists no provisions of law permitting the people to express their wishes to local option, Now therefore an emergency is hereby declared to exist and this Act shall be effective from and after its passage by the General Assembly and the approval by the Governor.

Said Substitute was disagreed to.

The yeas and nays being taken thereon, were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	John M. Hunnicut	J. C. Ramey
B. F. Bedford	Ben W. Johnson	Harry C. Records
Douglas Bolling	J. F. Ladd	Wade H. Riley
Ollie J. Bowen	M. T. McCarthy	John C. Robinson
Wallace Brown	J. L. McDermott	W. T. Rollo
Roscoe Claxon	John Marshall	A. W. Ross
Harry Davis	G. S. Milam	Carl Scheben
Howard G. Early	John B. Mollett	Carl Schneider
Chas. P. Farnsley	W. E. Mull	P. L. Sidebottom
T. P. Fitzpatrick	Tyler Munford	W. R. Tapp
James Garnett, Jr.	Rodes K. Myers	R. Van Bever, Jr.
Fred A. Gnau	J. C. Nickell	S. J. Wagner
C. L. Hammons	Russell O'Neill	Henry Ward
Price Holbrook	Mel Petry	
Ira W. Hulette	A. W. Pfeiffer	

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Those who voted in the negative were—

W. T. Baker	Eugene Gough	D. T. Matlack
Reuben J. Boling	Ben Grogan	Duke Mayfield
Dr. R. A. Byers	W. L. Hampton, Jr.	W. H. Miller
Jas. C. Carter	Thomas W. Hines	Hobart Rayburn
V. O. Chandler	Clyde S. Howard	L. K. Rice
Floyd Clark	J. H. Jones	Joe E. Robinson
J. A. Coleman	O. C. Jones	Ray O. Shehan
Herbert Cook	R. T. Kirkman	Dr. B. F. Shields
Sam Dever	Leslie Larrimore	Chester D. Silvers
Stanley S. Dickson	Robert E. Lee	Bruce Sloan
George W. Dunlap	T. B. McConnell	H. C. Steely
Garland Embry	Lloyd MacDonald	J. J. Thomas
Clarence E. Evans	W. F. McGary	Joseph L. Wall
H. Myer Garner	Elmer McGlothen	W. G. Williams
G. W. Garrett	C. S. Matherly	Charles Wylie

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Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen
Henry H. Allen
W. T. Baker
B. F. Bedford
Reuben J. Boling
Douglas Bolling
Ollie J. Bowen
Wallace Brown
Dr. R. A. Byers
Jas. C. Carter
V. O. Chandler
Floyd Clark
Roscoe Claxon
George S. Clay
J. A. Coleman
Roy Conway
Herbert Cook
Harry Davis
Sam Dever
Stanley S. Dickson
George W. Dunlap
Garland Embry
Clarence E. Evans
Walter R. Fannin
H. Myer Garner
James Garnett, Jr.
G. W. Garrett
Ferd A. Gnau
Eugene Gough
Ben Grogan
C. L. Hammons
W. L. Hampton, Jr.
Thomas W. Hines
Price Holbrook
Clyde S. Howard
John M. Hunnicut
J. H. Jones
O. C. Jones
R. T. Kirkman
J. F. Ladd
Leslie Larrimore
Robert E. Lee
M. T. McCarthy
T. B. McConnell
Lloyd MacDonald
W. F. McGary
Elmer McGlothen
C. S. Matherly
D. T. Matlack
Duke Mayfield
W. H. Miller
W. E. Mull
Tyler Munford
Rodes K. Myers
J. C. Nickell
Russell O'Neill
A. W. Pfeiffer
J. C. Ramey
Hobart Rayburn
Harry C. Records
L. K. Rice
Joe E. Robinson
W. T. Rollo
A. W. Ross
Carl Schneider
Ray O. Shehan
Dr. B. F. Shields
P. L. Sidebottom
Chester D. Silvers
Bruce Sloan
H. C. Steely
W. R. Tapp
J. J. Thomas
R. Van Bever, Jr.
S. J. Wagner
Joseph L. Wall
Henry Ward
W. G. Williams
Charles Wylie

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Those who voted in the negative were—

Chas. P. Farnsley	Ben W. Johnson	Mel Petry
T. P. Fitzpatrick	J. L. McDermott	Wade H. Riley
Ira W. Hulette	John B. Mollett	Carl Scheben

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Resolved that the title thereof be as aforesaid.

Mr. Myers moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration the Special Order, to wit: a bill entitled:

H. B. 573. An Act amending the Constitution of the Commonwealth of Kentucky, relating to the reorganization of county and State government, etc.

With an amendment thereto by way of Substitute therefor, as proposed by the Senate.

(For bill and Substitute as offered by the Senate, see House Journal of yesterday.)

Said Substitute as offered by the Senate, was then agreed to.

Said bill was then passed, as amended.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen
Henry H. Allen
W. T. Baker
B. F. Bedford
Douglas Bolling
Ollie J. Bowen
Wallace Brown
Roscoe Claxon
George S. Clay
Roy Conway
Sam Dever
Stanley S. Dickson
George W. Dunlap
Chas. P. Farnsley
T. P. Fitzpatrick
James Garnett, Jr.
Fred A. Gnau
Eugene Gough
Ben Grogan
W. L. Hampton, Jr.
Price Holbrook
Clyde S. Howard
Ira W. Hulette
John M. Hunnicut
O. C. Jones
R. T. Kirkman
J. F. Ladd
M. T. McCarthy
T. B. McConnell
J. L. McDermott
W. F. McGary
Elmer McGlothen
D. T. Matlack
Duke Mayfield
G. S. Milam
W. E. Mull
Tyler Munford
Rodes K. Myers
J. C. Nickell
Mel Petry
A. W. Pfeiffer
J. C. Ramey
Harry C. Records
L. K. Rice
Wade H. Riley
Joe E. Robinson
John C. Robinson
W. T. Rollo
A. W. Ross
Carl Scheben
Carl Schneider
Dr. B. F. Shields
P. L. Sidebottom
W. R. Tapp
J. J. Thomas
S. J. Wagner
Joseph L. Wall
Henry Ward
W. G. Williams
Mr. Speaker

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Those who voted in the negative were—

Reuben J. Boling
Jas. C. Carter
V. O. Chandler
Floyd Clark
J. A. Coleman
Herbert Cook
Harry Davis
Garland Embry
Walter R. Fannin
H. Myer Garner
G. W. Garrett
C. L. Hammons
Thomas W. Hines
J. H. Jones
Leslie Larrimore
Robert E. Lee
Lloyd MacDonald
C. S. Matherly
W. H. Miller
John B. Mollett
Russell O'Neill
Hobart Rayburn
Ray O. Shehan
Bruce Sloan
H. C. Steely
R. Van Bever, Jr.

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Mr. Gnau moved that the vote by which said bill was passed, as amended, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Dr. Shields moved that the House do now recess until eight o'clock P. M.

Said motion was agreed to.

NIGHT SESSION

The hour of eight o'clock P. M. having arrived, the Speaker resumed the Chair and called the House to order.

A message was received from the Senate, announcing that they had passed a bill which originated in this House, entitled:

H. B. 222. An Act relating to revenue and taxation, etc.

With amendments thereto as proposed by the Senate.

(For bill see House Journal of February 4.)

Said amendments as proposed by the Senate, are as follows, viz.:

Amend H. B. 222 in Senate, on page 2 at the end of line 6, in Sec. 3 by adding thereto the following: "The State Tax Commission shall have exclusive power in the assessment of all minerals."

Amend H. B. 222 in Senate, after Section 3, by adding a new section reading as follows:

(3a) It is hereby provided that, pursuant to the provisions of this act, the county tax commissioners shall be paid for making property tax assessments for 1936 taxes as pro-

vided by Section 4042a-8, Kentucky Statutes, Carroll's 1930 Edition. For the assessments for taxes for the year 1937 and thereafter, the county tax commissioners shall be compensated in the same way and manner as provided for the taxes of the year 1936 except that the fiscal courts of the several counties shall pay county tax commissioners all compensation occasioned by the assessment of real property. The amount of compensation due county tax commissioners on account of real estate assessments shall be computed on the basis of the difference between the amount which would have been due on account of personal property assessments computed without respect to real property and the amount which would have been due on account of all property assessments.

Said amendments were each concurred in.

Said bill was then passed, as amended.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen	Sam Dever	Price Holbrook
Henry H. Allen	Stanley S. Dickson	Clyde S. Howard
W. T. Baker	George W. Dunlap	John M. Hunnicut
Douglas Bolling	Howard G. Early	J. H. Jones
Ollie J. Bowen	Garland Embry	O. C. Jones
Wallace Brown	Walter R. Fannin	R. T. Kirkman
Dr. R. A. Byers	T. P. Fitzpatrick	J. F. Ladd
Jas. C. Carter	H. Myer Garner	Leslie Larrimore
V. O. Chandler	G. W. Garrett	M. T. McCarthy
Roscoe Claxon	Ben Grogan	T. B. McConnell
J. A. Coleman	Jas. T. Hamilton	J. L. McDermott
Roy Conway	C. L. Hammons	Lloyd MacDonald
Herbert Cook	W. L. Hampton, Jr.	W. F. McGary

Elmer McGlothen	A. W. Pfeiffer	Ray O. Shehan
John Marshall	J. C. Ramey	Dr. B. F. Shields
D. T. Matlack	Hobart Rayburn	P. L. Sidebottom
Duke Mayfield	Harry C. Records	H. C. Steely
W. H. Miller	L. K. Rice	W. R. Tapp
John B. Mollett	Wade H. Riley	J. J. Thomas
W. E. Mull	Joe E. Robinson	R. Van Bever, Jr.
Rodes K. Myers	John C. Robinson	S. J. Wagner
J. C. Nickell	W. T. Rollo	Joseph L. Wall
Mel Petry	Carl Schneider	Charles Wylie

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Mr. Hulette moved that the vote by which said bill was passed, as amended, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

H. B. 553. An Act to provide for the postponement of the rendition of judgment and the use of probation in criminal courts, etc.

With amendments thereto as proposed by the Senate.

(For bill see House Journal of February 11.)

Said amendments as proposed by the Senate, are as follows, viz.:

Amend H. B. 553 as follows: Section 5, line 4, by inserting after the word "Welfare" the following "not to exceed Three Thousand Dollars per annum".

Amend H. B. 553 as follows:

Section 6, line 5, by inserting after the word "prescribe" the following "not to exceed Eighteen Hundred Dollars per annum".

Amend H. B. 553 as follows: Section 6, line 7, by adding after the word "duties" the following "The number of Probation and Parole Officers shall not exceed one for each judicial district in the Commonwealth of Kentucky".

Amend H. B. 553 as follows: Section 1, line 1, by striking out the words "or quarterly court".

Amend H. B. 553 as follows: Section 5, line 7, by striking out the words "courts other than Juvenile Courts" and substitute therefor the words "Circuit Courts".

Said amendments were each and severally concurred in.

Said bill was then passed, as amended.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen	Stanley S. Dickson	T. B. McConnell
Henry H. Allen	George W. Dunlap	J. L. McDermott
W. T. Baker	Howard G. Early	Lloyd MacDonald
B. F. Bedford	Walter R. Fannin	W. F. McGary
Reuben J. Boling	G. W. Garrett	Elmer McGlothen
Douglas Bolling	Eugene Gough	John Marshall
Wallace Brown	Ben Grogan	D. T. Matlack
Jas. C. Carter	C. L. Hammons	W. H. Miller
V. O. Chandler	Clyde S. Howard	John B. Mollett
Floyd Clark	Ira W. Hulette	W. E. Mull
Roscoe Claxon	John M. Hunnicut	Rodes K. Myers
George S. Clay	Ben W. Johnson	J. C. Nickell
J. A. Coleman	J. H. Jones	Mel Petry
Roy Conway	R. T. Kirkman	A. W. Pfeiffer
Herbert Cook	J. F. Ladd	Hobart Rayburn
Harry Davis	Leslie Larrimore	Harry C. Records
Sam Dever	M. T. McCarthy	L. K. Rice

Joe E. Robinson	Dr. B. F. Shields	J. J. Thomas
John C. Robinson	P. L. Sidebottom	R. Van Bever, Jr.
W. T. Rollo	Chester D. Silvers	S. J. Wagner
Carl Schneider	H. C. Steely	Joseph L. Wall
Ray O. Shehan	W. R. Tapp	Charles Wylie

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Those who voted in the negative were—

Dr. R. A. Byers	Thomas W. Hines	Russell O'Neill
Garland Embry		

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Mr. Joe Robinson moved that the vote by which said bill was passed, as amended, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Ordered that said bills be delivered to the Enrolling Clerk of this House.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 197. An Act to repeal, amend, and re-enact Section 3037f-10 concerning supervision of the Plumbing Departments of cities of the first class; reports by and to whom.

Said bill is as follows viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 3037f-10, Kentucky Statutes, Carroll's 1930 Edition, be and the same is hereby repealed and re-enacted as follows:

Section 3037f-10. Supervision by Director of Department of Public Works or Boards of Health; Reports to. The

Plumbing Department of every city of the first class in this state, consisting of the examining board, the chief inspector and his deputies, shall be under the supervision of the Director of the Department of Public Works of said city, and the Chief Inspector shall make a complete report of this department to said Director of the Department of Public Works at the end of each year.

The Plumbing Department of every city of the second class in this state consisting of the examining board, the chief inspector and his deputies shall be under the supervision of the board of health of said city, and the chief inspector shall make a complete report of this department to said board of health at the end of each year.

Mr. Schneider offered the following amendment thereto by way of Substitute therefor, viz.:

An Act to repeal, amend and re-enact Section 3037f-10 concerning supervision of the Plumbing Departments of Cities of the First Class; Reports by and to whom.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 3037f-10 Kentucky Statutes, Carroll's 1930 Edition, be and the same is hereby repealed and re-enacted as follows:

Section 3037f-10. Supervision of Director of Department of Public Works or Board of Health; reports to. The Plumbing Department of every city of the first class in this State, consisting of the chief inspector and his deputies, shall be under the supervision of the Director of the Department of Public Works of said City, and the Chief Inspector shall make a complete report of this department to said Director of the Department of Public Works at the end of each year.

Said Substitute was agreed to.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only and passed, as amended.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Ben Grogan	Russell O'Neill
B. F. Bedford	C. L. Hammons	J. C. Ramey
Douglas Bolling	W. L. Hampton, Jr.	Hobart Rayburn
Ollie J. Bowen	Price Holbrook	L. K. Rice
Wallace Brown	Clyde S. Howard	Wade H. Riley
Dr. R. A. Byers	Ira W. Hulette	Joe E. Robinson
V. O. Chandler	John M. Hunnicut	John C. Robinson
Roscoe Claxon	O. C. Jones	W. T. Rollo
J. A. Coleman	R. T. Kirkman	Carl Schneider
Roy Conway	J. F. Ladd	Ray O. Shehan
Harry Davis	Leslie Larrimore	Dr. B. F. Shields
Sam Dever	Robert E. Lee	P. L. Sidebottom
George W. Dunlap	J. L. McDermott	Bruce Sloan
Howard G. Early	Lloyd MacDonald	H. C. Steely
Garland Embry	W. F. McGary	W. R. Tapp
Walter R. Fannin	Elmer McGlothen	J. J. Thomas
T. P. Fitzpatrick	D. T. Matlack	R. Van Bever, Jr.
James Garnett, Jr.	Duke Mayfield	W. G. Williams
G. W. Garrett	W. H. Miller	Charles Wylie
Fred A. Gnau	John B. Mollett	
Eugene Gough	J. C. Nickell	—61

Resolved that the title thereof be as amended.

Mr. Gnau moved that the vote by which said bill was passed, as amended, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 263. An Act giving the consent of the Commonwealth of Kentucky to the acquisition by the United States, under any act of the Federal Congress, of such lands as may be needed for the establishment of a national forest reserve within the boundaries of said Commonwealth, either to be permanently retained and maintained by the Federal Government, or eventually to be turned over to the Commonwealth under the terms of the particular Federal statute under which they were established.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the consent of the Commonwealth of Kentucky is hereby given to the acquisition by the United States Government, by purchase or gift, or by condemnation according to law of such lands within the boundaries of the Commonwealth as in the opinion of the Federal Government may be needed for the establishment of national forest reserves within prescribed areas within the boundaries of the Commonwealth: Provided, that the written approval and consent of the Governor of this Commonwealth shall be given as to the area of lands so acquired by the Federal Government, and which shall be evidenced of record in his office before such establishment: And, provided, further, that the Commonwealth shall retain a concurrent jurisdiction with the United States in and over such lands so far that civil process in all cases, and such criminal process as may issue under the authority of the Commonwealth against any person charged with the commission of any crime without or within said jurisdiction, may be executed in like manner as if this Act had not been passed.

§ 2. When such forest reserves are established by the Federal Government as herein provided, either under existing

Federal statutes or any that might be hereinafter enacted, then consent of this Commonwealth is hereby given for the Congress of the United States to pass such laws and to make or provide for the making of such rules and regulations, of both civil and criminal nature, and provide punishment therefor, as in its judgment may be necessary for the management, control, and protection of such land as may be, from time to time, acquired by the United States under the provisions of this Act.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	George W. Dunlap	T. B. McConnell
B. F. Bedford	Walter R. Fannin	J. L. McDermott
Douglas Bolling	T. P. Fitzpatrick	Lloyd MacDonald
Ollie J. Bowen	James Garnett, Jr.	Elmer McGlothen
Wallace Brown	G. W. Garrett	John Marshall
Dr. R. A. Byers	Fred A. Gnau	C. S. Matherly
Jas. C. Carter	Ben Grogan	D. T. Matlack
V. O. Chandler	C. L. Hammons	W. H. Miller
Roscoe Claxon	W. L. Hampton, Jr.	John B. Mollett
George S. Clay	Price Holbrook	Rodes K. Myers
J. A. Coleman	Clyde S. Howard	J. C. Nickell
Roy Conway	John M. Hunnicut	Russell O'Neill
Herbert Cook	J. H. Jones	Mel Petry
Harry Davis	J. F. Ladd	A. W. Pfeiffer
Stanley S. Dickson	Leslie Larrimore	J. C. Ramey

Hobart Rayburn	Ray O. Shehan	J. J. Thomas
Harry C. Records	Dr. B. F. Shields	R. Van Bever, Jr.
L. K. Rice	P. L. Sidebottom	S. J. Wagner
Wade H. Riley	Bruce Sloan	Joseph L. Wall
W. T. Rollo	H. C. Steely	Henry Ward
Carl Schneider	W. R. Tapp	Charles Wylie

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Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 234. An Act to repeal, amend and re-enact subsection 2, Chapter 28, of the Acts of 1918, being Section 2223b-2, Kentucky Statutes, Carroll's Edition 1930, relating to the organization of loan and investment companies in cities of the first and second class and extending the terms thereof to cities of the fifth class.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 2, of Chapter 28 of the Acts of 1918, being Section 2223b-2 Kentucky Statutes, Carroll's 1930 Edition, be and the same is hereby repealed and re-enacted so as to read as follows:

"Any number of persons not less than five may associate to establish a loan and investment company in cities of the first, second and fifth classes upon the terms and conditions and subject to the liabilities prescribed in this Act. The name of any corporation formed under this Act may contain the

words "industrial bank," but said name shall not be that of any other existing corporation of this State, and it shall not be necessary for any corporation organized under the provisions of this Act to use the word "incorporated" in addition to its corporate name, either in its place of business or on any printed or advertising matter. The capital stock of any such loan and investment company shall not be less than twenty-five thousand dollars ($25,000.00), for cities of the first and second classes; and not less than twelve thousand and five hundred dollars ($12,500.00) for cities of the fifth class, fifty per cent (50%) of which shall be paid in cash before any such corporation shall be authorized to transact any business other than such as relates to its formation and organization, and the remainder of the capital stock shall be paid in in money within one year after the loan and investment company is authorized to commence business at such times and in such amounts as the directors may require."

§ 2. All laws and parts of laws in conflict herewith to the extent of such conflict are hereby repealed.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen	Wallace Brown	Roy Conway
Henry H. Allen	Jas. C. Carter	Herbert Cook
B. F. Bedford	V. O. Chandler	Harry Davis
Douglas Bolling	George S. Clay	Sam Dever
Ollie J. Bowen	J. A. Coleman	Stanley S. Dickson

Howard G. Early	J. H. Jones	Russell O'Neill
Walter R. Fannin	R. T. Kirkman	A. W. Pfeiffer
Chas. P. Farnsley	J. F. Ladd	J. C. Ramey
T. P. Fitzpatrick	Leslie Larrimore	Hobart Rayburn
H. Myer Garner	T. B. McConnell	Harry C. Records
James Garnett, Jr.	J. L. McDermott	L. K. Rice
G. W. Garrett	Lloyd MacDonald	Wade H. Riley
Eugene Gough	W. F. McGary	W. T. Rollo
Ben Grogan	Elmer McGlothen	Carl Schneider
Jas. T. Hamilton	C. S. Matherly	Dr. B. F. Shields
C. L. Hammons	D. T. Matlack	P. L. Sidebottom
Price Holbrook	Duke Mayfield	W. R. Tapp
Clyde S. Howard	John B. Mollett	S. J. Wagner
Ira W. Hulette	Tyler Munford	Joseph L. Wall
John M. Hunnicut	Rodes K. Myers	Henry Ward
Ben W. Johnson	J. C. Nickell	Charles Wylie

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Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

A message was received from the Senate, announcing that they had passed a bill which originated in this House, entitled:

H. B. 175. An Act to repeal, amend and re-enact Section 1529, Carroll's Kentucky Statutes, 1930 Edition, relating to filling of vacancies in the office of county judge and declaring an emergency.

With amendments thereto as offered by the Senate.

(For bill see House Journal of January 28.)

The amendments as offered by the Senate are as follows, viz.:

Amend H. B. 175 by striking therefrom Section 3.

Amend the title to H. B. 175 by striking therefrom the words "and declaring an emergency".

Said amendments were each concurred in.

Said bill was then passed, as amended.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Ira W. Hulette	Harry C. Records
W. T. Baker	John M. Hunnicut	L. K. Rice
B. F. Bedford	Ben W. Johnson	Wade H. Riley
Douglas Bolling	J. H. Jones	Joe E. Robinson
Wallace Brown	O. C. Jones	John C. Robinson
Roscoe Claxon	R. T. Kirkman	Carl Scheben
George S. Clay	J. F. Ladd	Dr. B. F. Shields
Roy Conway	T. B. McConnell	P. L. Sidebottom
Herbert Cook	J. L. McDermott	W. R. Tapp
Sam Dever	Elmer McGlothen	J. J. Thomas
George W. Dunlap	John Marshall	S. J. Wagner
Walter R. Fannin	D. T. Matlack	Joseph L. Wall
Price Holbrook	Rodes K. Myers	Henry Ward
Clyde S. Howard	A. W. Pfeiffer	—41

Those who voted in the negative were—

Reuben J. Boling	H. Myer Garner	Russell O'Neill
Dr. R. A. Byers	James Garnett, Jr.	Hobart Rayburn
Jas. C. Carter	G. W. Garrett	W. T. Rollo
V. O. Chandler	Jas. T. Hamilton	Ray O. Shehan
J. A. Coleman	C. L. Hammons	H. C. Steely
Chas. P. Farnsley	Thomas W. Hines	R. Van Bever, Jr.
T. P. Fitzpatrick	Lloyd MacDonald	Charles Wylie
		—21

Dr. Shields moved that the vote by which said bill was passed as amended, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Ordered that said bill be delivered to the Enrolling Clerk of the House.

A message was received from the Senate announcing that they had passed bills which originated in this House, entitled:

H. B. 337. An Act to prohibit marathons, danceathons, walkathons, etc.

H. B. 5. An Act to amend and re-enact Section 1 of Chapter 145 of the 1934 Acts creating a public service commission, etc.

H. B. 503. An Act relating to the Primary System of Roads and Highways.

H. B. 504. An Act relating to the Primary System of Roads and Highways.

H. B. 510. An Act relating to the Primary System of Roads and Highways.

H. B. 530. An Act relating to the Primary System of Roads and Highways.

H. B. 536. An Act relating to the Primary System of Roads and Highways.

H. B. 540. An Act relating to the Primary System of Roads and Highways.

H. B. 541. An Act relating to the Primary System of Roads and Highways.

H. B. 542. An Act relating to the Primary System of Roads and Highways.

H. B. 543. An Act relating to the Primary System of Roads and Highways.

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H. B. 545. An Act relating to the Primary System of Roads and Highways.

H. B. 546. An Act relating to the Primary System of Roads and Highways.

H. B. 547. An Act relating to the Primary System of Roads and Highways.

H. B. 548. An Act relating to the Primary System of Roads and Highways.

H. B. 568. An Act relating to the Primary System of Roads and Highways.

H. B. 569. An Act relating to the Primary System of Roads and Highways.

H. B. 570. An Act relating to the Primary System of Roads and Highways.

H. B. 571. An Act relating to the Primary System of Roads and Highways.

H. B. 576. An Act relating to the Primary System of Roads and Highways.

H. B. 580. An Act relating to the Primary System of Roads and Highways.

H. B. 581. An Act relating to the Primary System of Roads and Highways.

H. B. 582. An Act relating to the Primary System of Roads and Highways.

H. B. 583. An Act relating to the Primary System of Roads and Highways.

H. B. 584. An Act relating to the Primary System of Roads and Highways.

H. B. 585. An Act relating to the Primary System of Roads and Highways.

H. B. 586. An Act relating to the Primary System of Roads and Highways.

H. B. 587. An Act relating to the Primary System of Roads and Highways.

H. B. 588. An Act relating to the Primary System of Roads and Highways.

H. B. 589. An Act relating to the Primary System of Roads and Highways.

H. B. 590. An Act relating to the Primary System of Roads and Highways.

H. B. 591. An Act relating to the Primary System of Roads and Highways.

H. B. 599. An Act relating to the Primary System of Roads and Highways.

H. B. 600. An Act relating to the Primary System of Roads and Highways.

H. B. 601. An Act relating to the Primary System of Roads and Highways.

H. B. 602. An Act relating to the Primary System of Roads and Highways.

H. B. 605. An Act relating to the Primary System of Roads and Highways.

H. B. 606. An Act relating to the Primary System of Roads and Highways.

H. B. 607. An Act relating to the Primary System of Roads and Highways.

H. B. 608. An Act relating to the Primary System of Roads and Highways.

H. B. 609. An Act relating to the Primary System of Roads and Highways.

H. B. 610. An Act relating to the Primary System of Roads and Highways.

H. B. 611. An Act relating to the Primary System of Roads and Highways.

H. B. 614. An Act relating to the Primary System of Roads and Highways.

H. B. 615. An Act relating to the Primary System of Roads and Highways.

H. B. 616. An Act relating to the Primary System of Roads and Highways.

H. B. 617. An Act relating to the Primary System of Roads and Highways.

H. B. 618. An Act relating to the Primary System of Roads and Highways.

H. B. 619. An Act relating to the Primary System of Roads and Highways.

H. B. 620. An Act relating to the Primary System of Roads and Highways.

H. B. 621. An Act relating to the Primary System of Roads and Highways.

H. B. 622. An Act relating to the Primary System of Roads and Highways.

H. B. 623. An Act relating to the Primary System of Roads and Highways.

H. B. 624. An Act relating to the Primary System of Roads and Highways.

H. B. 625. An Act relating to the Primary System of Roads and Highways.

H. B. 626. An Act relating to the Primary System of Roads and Highways.

H. B. 628. An Act relating to the Primary System of Roads and Highways.

H. B. 629. An Act relating to the Primary System of Roads and Highways.

H. B. 631. An Act relating to the Primary System of Roads and Highways.

H. B. 121. An Act relating to prisoners now or hereafter confined in State prisons, etc.

With amendments thereto as proposed by the Senate.

(For bill see House Journal of January 6.)

Said amendments as proposed by the Senate, are as follows, viz.:

Amend H. B. 121, page 2, paragraph 2, Section "c" add the following after the word "enclosures" line 9: "Provided however the State Welfare Board shall ascertain from the Jailer of the county in which the work is being carried on under the provisions of this act and if accommodations are available, shall place as many prisoners as possible under care of said Jailer".

Amend Section 4 of H. B. 121 by striking the word "county" from the 14th line thereof (at top of page 4) and by adding at the end of said Section the following:

"Provided nothing in this Act shall be construed to deprive any county of receiving its portion of the $2,000,000.00

road fund allocated to the counties by an Act passed at the present session of the General Assembly and designated as Senate Bill No. 329 nor shall any rule prepared under the provisions of this or any Act require or permit the working of convict labor in any county without the consent of the fiscal court of said county."

Said amendments were each concurred in.

Said bill was then passed, as amended.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen	Price Holbrook	J. C. Nickell
Henry H. Allen	Clyde S. Howard	Mel Petry
W. T. Baker	Ira W. Hulette	A. W. Pfeiffer
Douglas Bolling	Ben W. Johnson	J. C. Ramey
Ollie J. Bowen	O. C. Jones	L. K. Rice
Wallace Brown	R. T. Kirkman	Wade H. Riley
Roscoe Claxon	J. F. Ladd	Joe E. Robinson
George S. Clay	M. T. McCarthy	John C. Robinson
Roy Conway	T. B. McConnell	Dr. B. F. Shields
Harry Davis	J. L. McDermott	P. L. Sidebottom
Sam Dever	Lloyd MacDonald	Bruce Sloan
Stanley S. Dickson	W. F. McGary	H. C. Steely
George W. Dunlap	Elmer McGlothen	W. R. Tapp
Walter R. Fannin	John Marshall	J. J. Thomas
T. P. Fitzpatrick	C. S. Matherly	S. J. Wagner
H. Myer Garner	D. T. Matlack	Joseph L. Wall
G. W. Garrett	Duke Mayfield	Henry Ward
Jas. T. Hamilton	John B. Mollett	W. G. Williams
W. L. Hampton, Jr.	Rodes K. Myers	Charles Wylie

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Those who voted in the negative were—

Reuben J. Boling	C. L. Hammons	Tyler Munford
Jas. C. Carter	Thomas W. Hines	W. T. Rollo
J. A. Coleman	John M. Hunnicut	Ray O. Shehan
James Garnett, Jr.	J. H. Jones	R. Van Bever, Jr.

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Mr. Brown moved that the vote by which said bill was passed, as amended, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Ordered that said bills be delivered to the Enrolling Clerk of this House.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 153. An Act amending and re-enacting Section 2241 Kentucky Statutes, Carroll's Edition (Baldwin's Revision 1933 Supplement).

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 2241 Kentucky Statutes, Carroll's 1930 Edition (Baldwin's Revision 1933 Supplement) be amended and re-enacted so that when so amended and re-enacted it shall read as follows:

The circuit judge of each county shall at the first regular term of circuit court therein, after this Act takes effect and annually thereafter, appoint three intelligent and discreet housekeepers of the county over twenty-one years of age, resident in different portions of the county, and having no action in court requiring the intervention of a jury, as jury

commissioners for one year, who shall be sworn in open court, to faithfully discharge their duty. They shall hold their meetings in some room designated by the judge; and, while engaged
ings in some room designated by the jldge; and, while engaged
in making lists of juries, and selecting the names, writing and depositing or drawing them from the drum or wheel case, no person shall be permitted in said room with them except that in counties containing a city of the first class the commissioners may select a clerk to aid them in the performance of their duty, who shall be sworn in open court to faithfully discharge his duties, and who shall be in attendance on the commissioners in session; and such counties by their board of magistrates or fiscal court are hereby authorized and empowered to allow and pay to the clerk of the jury commissioners herein provided for, such compensation as they may deem just and proper, not exceeding, however, the sum of one hundred dollars ($100.00) in any one year.

They shall take the last returned assessor's book for the county and from it shall carefully select from the intelligent, sober, discreet and impartial citizens, resident housekeepers in different portions of the county, over twenty-one years of age, the following number of names of such persons, towit:

In counties having a population of ten thousand or less, not less than one hundred and sixty-two nor more than two hundred; in counties having a population of more than ten thousand and not exceeding twenty thousand, not less than one hundred and sixty-two nor more than three hundred; in counties having a population exceeding twenty thousand and not exceeding fifty thousand, not less than five hundred nor more than six hundred; in counties having a population exceeding fifty thousand, and not exceeding one hundred thousand, one thousand and in counties having a population exceeding one hundred thousand, and its circuit court divided into branches, two thousand for each division of the court requiring the services of a jury.

In counties having circuit courts of continuous sessions, wherein part of the sessions are authorized to be held in a city of the second class not the county seat of the county, the court shall have a separate drum or wheel case for use at such county seat, and commissioners shall be appointed, as herein provided, who shall select not less than one hundred and twenty-five nor more than one hundred and fifty of such names.

They shall write each name, and in counties having cities of the first, second or third class the address of the person so selected, in plain handwriting, on a small slip of paper, each slip being as near the same size and appearance as practicable; and each slip with the name, and when provided herein, the address, written thereon, shall be by them enclosed in a small case made of paper or other material and deposited, unsealed, in the revolving drum or wheel case hereinafter provided for; but upon depositing any of said slips in said drum or wheel case, they shall carefully examine its contents and remove therefrom and destroy any slips found therein. When said slips have been deposited in said drum or wheel case, it shall be locked and revolved, or so shaken as to thoroughly mix said slips; then it shall be unlocked and they shall draw therefrom a sufficient number of names to procure twenty-four persons, qualified as hereinafter provided to act as grand jurors; and if, in doing this, the name of any person not qualified to act as grand juror is drawn, the same shall be returned to the drum or wheel case. Said names shall be drawn one by one, and only the names of those qualified shall be recorded on paper until the twenty-four are secured; and said lists shall be certified, signed and enclosed by them in an envelope made of good paper, and it shall be sealed, and their names written across the seal thereof, and directed to the judge of the circuit court, adding the words "criminal division," when said circuit court is divided into branches, and endorsed, "A list of the grand jury for the..... circuit court to be held in the month of..... in

the year .....,'' adding the words, ''criminal division'' after the words, ''circuit Court,'' when there are branches of the circuit court from which list the next grand jury for said county shall be impaneled as hereinafter directed. After completing the list of grand jurors, they shall lock said drum or wheel case and revolve or shake it so as to thoroughly mix the slips remaining therein, and then unlock the same and draw therefrom, one by one, the names of not less than thirty nor more than thirty-six persons, as the judge of the court may direct, and record the same upon paper as drawn, which, in like manner shall be certified, signed and inclosed by them in an envelope made of good paper, and it shall be sealed, and their names written across the seal thereof, and directed to the judge of the circuit court, adding the name of the division of said court for which said list of jurors is selected, when such court is divided into branches and endorsed: ''A list of the petit jury for the..... year.....,'' adding the name of the division court for which said jury is selected, in cases when the circuit court is divided into branches from which list the next petit jury for said county in said court shall be selected and impaneled as hereinafter directed. The slips of paper upon which are written the names of persons placed by said commissioners upon the lists of grand and petit jurors shall be destroyed by the commissioners as soon as the names are recorded on said list. Circuit courts divided into two divisions shall have two commissioners for each division requiring the services of a jury therein, and circuit courts divided into more than two divisions shall have one commissioner for each requiring the services of a jury therein, to be appointed and qualified by the judge thereof.

Circuit courts having two divisions shall have but one drum or wheel case, and circuit courts having more than two divisions shall have a separate drum or wheel case for each division, which aid commissioners shall use in making up the

juries and selecting jurors in the manner provided for said divisions respectively; but no grand jury shall be made or grand jurors drawn by said commissioners, or any one else, for any other than the criminal division of a circuit court having branches.

When the commissioners have completed the list of jurors they shall lock the drum or wheel case containing the remaining names and deliver it and the key thereto, said sealed list, or lists, and all slip cases not used to the judge of the circuit court for which said jurors are selected, who shall deliver them, except the key, to the circuit court clerk in open court and at the time administer to him and his deputies the following oath, to wit: "You do solemnly swear that you will not open this drum or wheel case, except in open court, under the direction of the judge of this court, and that you will not open the envelopes containing the lists of petit (or grand jurors, as the case may be), for the session of this court to be held in the month of..... in the year of....., until the time fixed by law; that you will not, directly or indirectly, converse with any one selected as a petit juror concerning any suit for trial in this court, at its next term, unless by leave of court." Should the clerk subsequently, in vacation, appoint a deputy he shall adminster to him a like oath; and if the clerk or any other person, except as herein provided, shall open or unlock or break into, or in any way wilfully injure the wheel or drum, or lock thereof, or, except as herein provided, shall wilfully open or break the seal of the envelope, containing the jury lists, the person so offending shall be guilty of felony, and punishment by confinement in the penitentiary for not less than one or more than five years.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen	W. L. Hampton, Jr.	A. W. Pfeiffer
Henry H. Allen	Thomas W. Hines	J. C. Ramey
W. T. Baker	Price Holbrook	Hobart Rayburn
B. F. Bedford	Clyde S. Howard	L. K. Rice
Reuben J. Boling	John M. Hunnicut	Wade H. Riley
Douglas Bolling	Ben W. Johnson	Joe E. Robinson
Ollie J. Bowen	J. H. Jones	John C. Robinson
Wallace Brown	O. C. Jones	W. T. Rollo
Dr. R. A. Byers	R. T. Kirkman	Carl Schneider
Floyd Clark	J. F. Ladd	Ray O. Shehan
Roscoe Claxon	Leslie Larrimore	Dr. B. F. Shields
J. A. Coleman	M. T. McCarthy	P. L. Sidebottom
Roy Conway	J. L. McDermott	Chester D. Silvers
Harry Davis	Lloyd MacDonald	Bruce Sloan
Stanley S. Dickson	W. F. McGary	H. C. Steely
George W. Dunlap	Elmer McGlothen	W. R. Tapp
Garland Embry	John Marshall	J. J. Thomas
Walter R. Fannin	C. S. Matherly	R. Van Bever, Jr.
T. P. Fitzpatrick	D. T. Matlack	S. J. Wagner
James Garnett, Jr.	Duke Mayfield	Joseph L. Wall
G. W. Garrett	G. S. Milam	Henry Ward
Eugene Gough	W. H. Miller	W. G. Williams
Ben Grogan	Tyler Munford	Charles Wylie
Jas. T. Hamilton	Rodes K. Myers	
C. L. Hammons	J. C. Nickell	—73

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

A message was received from the Senate announcing that they had refused to concur in amendments proposed and adopted by the House to a bill which originated in the Senate, entitled:

S. B. 329. An Act relating to public roads and bridges, providing for State aid.

And respectfully request the House to recede from said amendments.

Mr. Myers moved that the House do now refuse to recede from said amendments.

Said motion was agreed to.

Mr. Myers moved that the Speaker appoint a Committee on Conference to meet with a like Committee on the part of the Senate, to settle the differences between the two Houses.

Thereupon the Speaker appointed Messrs. Myers, Joe Robinson, Sheehan, Fitzpatrick and Schneider as members constituting said Committee.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 52. An Act authorizing water districts in counties of this state which have been organized and operating under and in pursuance to an Act of the General Assembly of the Comonwealth of Kentucky, approved March 27, 1926, and the amendments thereto, to issue refunding bonds.

Said bill is as follows, viz.:

Whereas, in establishing water districts in pursuance to the above act, it became necessary to levy and assess against the property in said district, large and excessive assessments; and,

Whereas, from experience in some of the districts, it was ascertained that a great portion of the property which was included in the original district could not be benefited from the creation of said water district and that other properties not included in the said water district, lying within municipalities and exempted from the assessments, is and will continue to receive great benefits by the creation of said water districts; and,

Whereas, some of the property which was originally assessed in the districts have since been stricken off and out of the district by an order of the court, as is provided by the act, making it impossible to receive sufficient revenue from said assessments to pay the bonded indebtedness which was created in pursuance to said act in establishing said district; and,

Whereas, to put an additional assessment on the property holders within the district, who have already been overburdened by the original assessment, would be unjust and inequitable: Now, Therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Section 1. That Water Districts in counties of this State which have been organized and operating under and in pursuance to an act of the General Assembly of the Commonwealth of Kentucky, approved March 27, 1926, and the amendments thereto, are hereby authorized and empowered to issue refunding bonds for the purpose of refunding any bonded debt, including assessment bonds which have heretofore been issued under the said act and upon which a default in the payment of principal and interest have occurred and such other bonds as may hereafter mature in whole or in part.

Section 2. Said bonds shall be issued under the signature of the Chairman of the Board of Commissioners, the counter-signature of the Treasurer of said Commission and the seal of the district, serially numbered, and in such form

and denominations, and to run for such time or times, not exceeding thirty years, however, and to mature and be redeemable, as the Board of Commissioners in said Water District shall prescribe by ordinance or resolution. Said bonds shall bear, not exceeding six per cent per annum interest, as the Board of Commissioners may direct, payable either annually or semi-annually, and shall have interest coupons attached, and shall not be sold for less than par and accrued interest, and their proceeds shall be used exclusively for the refunding of such bonded debts as herein set out and for no other purpose whatsoever. In case any of the officers whose signatures or counter-signatures appear on the bonds or coupons, shall cease to be such officers before delivery of such bonds, such signatures or counter-signatures shall nevertheless be valid for all purposes, the same as if they had been in office until such delivery.

Section 3. Upon the issuance of said bonds, each of said Water Districts shall annually, from delinquent assessment collection and other revenues, carry to the sinking fund of the said Water District, an amount sufficient to pay the annual interest on said bonds and create a fund for their purchase from time to time; and whenever there is a sufficient sum in the sinking fund over and above the amount required for the payment of said interest, it shall be used in the purchasing of so many of said bonds as practical. Any and all such bonds shall have and are hereby declared to have in the hand of bona fide holders all the equalities of negotiable instruments under the law merchant and shall not be subject to taxation.

Section 4. This being a case of emergency, in the fact that Water Districts have bonded debts, some of which are now past due and in default, due to the fact that a number of the property holders are now delinquent and in default on the payment of their assessments and the foreclosure of said lien at this time would cause said property holder to sacrifice

his property, and due to the further fact that there are no provisions made in the said law to permit the refunding of said bond, therefore, this act shall take effect from and after its passage and approval by the Governor.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. T. Baker	Eugene Gough	C. S. Matherly
B. F. Bedford	Ben Grogan	D. T. Matlack
Reuben J. Boling	Jas. T. Hamilton	Duke Mayfield
Douglas Bolling	C. L. Hammons	G. S. Milam
Ollie J. Bowen	W. L. Hampton, Jr.	W. H. Miller
Wallace Brown	Price Holbrook	John B. Mollett
Dr. R. A. Byers	Clyde S. Howard	Tyler Munford
Jas. C. Carter	Ira W. Hulette	Rodes K. Myers
V. O. Chandler	John M. Hunnicut	J. C. Nickell
Floyd Clark	J. H. Jones	Russell O'Neill
George S. Clay	O. C. Jones	Mel Petry
J. A. Coleman	R. T. Kirkman	A. W. Pfeiffer
Roy Conway	J. F. Ladd	J. C. Ramey
Sam Dever	Leslie Larrimore	Harry C. Records
Stanley S. Dickson	M. T. McCarthy	Wade H. Riley
George W. Dunlap	T. B. McConnell	Joe E. Robinson
Garland Embry	J. L. McDermott	John C. Robinson
T. P. Fitzpatrick	Lloyd MacDonald	W. T. Rollo
H. Myer Garner	W. F. McGary	Carl Schneider
James Garnett, Jr.	Elmer McGlothen	Ray O. Shehan
G. W. Garrett	John Marshall	Dr. B. F. Shields

P. L. Sidebottom	W. R. Tapp	Henry Ward
Chester D. Silvers	J. J. Thomas	W. G. Williams
Bruce Sloan	S. J. Wagner	Charles Wylie
H. C. Steely	Joseph L. Wall	—74

Those who voted in the negative were—

F. T. Allen	Herbert Cook	—2

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 262. An Act to amend Chapter 104 of the Acts of 1932 of the General Assembly of the Commonwealth of Kentucky, and more particularly Article four, Section 26 thereof, being an Act authorizing, regulating and governing the transportation for hire of persons and property by motor vehicles on public highways in the Commonwealth of Kentucky, and being Section 2739j-94 of the Kentucky Statutes (Carroll's 1933 Supplement) by striking from said section exemption Three, reading as follows, to wit: "Three. Motor vehicles for hire, designated primarily for the transportation of property, provided such motor vehicle, when unloaded, weigh not more than fifty-five hundred pounds", and making exemption Four thereof exemption Three.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Chapter 104 of the Acts of 1932 of the General Assembly of the Commonwealth of Kentucky, and more particu-

larly Article Four, Section 26 thereof, being an Act authorizing, regulating and governing the transportation for hire of persons and property by motor vehicles on public highways in the Commonwealth of Kentucky, and being Section 2739j-94 of the Kentucky Statutes (Carroll's 1933 Supplement), be amended by striking from said section exemption Three, reading as follows, to wit: "Three. Motor vehicles for hire designated primarily for the transportation of property, provided such motor vehicles, when unloaded, weigh not more than fifty-five hundred pounds," and by making exemption Four thereof, exemption Three, so that said section 2739j-34 as amended shall hereafter read:

"Section 2739j-94. *Exemption Form Act.*—There shall be exempted from the provisions of this Act: One. Motor vehicles for hire while being used exclusively for the transportation of school children and school teachers to and from school, provided such vehicle is operated by, or the compensation for such transportation is paid by, a school district. Two. Motor vehicles for hire operating exclusively within the limits of a city or incorporated town, or within ten miles of its limits. Provided, however, that the operator of any such motor vehicle for the carriage of passengers, operating between any city or incorporated town and a point or points within ten (10) miles of the limits thereof, and over regular routes or between fixed termini, may apply to the commission for a Certificate. The provisions of Article two (K. S. Sections 2739j-45 to 2739j-61) and of Article four (K. S. Sections 2739j-69 to 2739j-97) except Sections ten (K. S. Sections 2739j-78), eleven (K. S. 2739j-79), twelve (K. S. Sections 2739j-80), thirteen (K. S. 2739j-81), fifteen (K. S. Section 2739j-83 and sixteen (K. S. Section 2739j-84); of Article four shall apply to the certificates issued under this proviso and operations thereunder. After the issuance of such certificate, it shall be unlawful for the operator of any motor vehicle for hire, not holding a certificate, to operate in com-

petition with the holder of such certificate, over the route, or any part thereof, covered by such certificate. Three. Any motor vehicle designed primarily for the transportation of property owned or leased by a non-profit, co-operative association, carrying only property belonging to the association or its members, shall be considered to be an owner's truck and exempt from the provisions of this act. (1932, C. 104, Art. 4, Sec. 26.) Four. Motor vehicles engaged exclusively in the transportation of agricultural, live-stock and dairy products from the farm, market, gin warehouses, dairy or mill where the weight of the truck and the load does not violate the laws of this State or any other provision of this Act, whether such motor vehicle is owned by the owner or producer of such agricultural, farm or dairy product or not, so long as the title remains in the producers and the word 'producer' shall include a landlord where the relations of landlord and tenant or landlord and cropper are involved. The phrase 'agricultural products' as used in this Act shall include fruit, livestock, meats, fertilizer, wood, lumber, cotton, and naval stores, household goods and supplies transported to farms for farm purposes, and/or other usual farm and daily supplies, and including products of grove and/or orchard, and also poultry and eggs, and also fish and oysters, and all country merchants in rural districts who handle poultry and farm products in pursuance to their own business, and not for hire, and timber and/or logs being hauled by the owner thereof, or his agents and/or employees between forest and mill or primary place of manufacture.''

All laws and parts of laws in conflict with any of the provisions of the above enactments, to the extent of such conflict, are hereby repealed.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. T. Baker	Thomas W. Hines	John B. Mollett
B. F. Bedford	Price Holbrook	Tyler Munford
Douglas Bolling	Clyde S. Howard	Russell O'Neill
Wallace Brown	Ira W. Hulette	Mel Petry
V. O. Chandler	J. H. Jones	A. W. Pfeiffer
George S. Clay	O. C. Jones	Harry C. Records
J. A. Coleman	R. T. Kirkman	L. K. Rice
Herbert Cook	J. F. Ladd	W. T. Rollo
Harry Davis	Leslie Larrimore	Carl Schneider
Sam Dever	M. T. McCarthy	P. L. Sidebottom
George W. Dunlap	T. B. McConnell	Chester D. Silvers
Howard G. Early	J. L. McDermott	H. C. Steely
Garland Embry	W. F. McGary	J. J. Thomas
Walter R. Fannin	Elmer McGlothen	S. J. Wagner
Chas. P. Farnsley	John Marshall	Joseph L. Wall
James Garnett, Jr.	D. T. Matlack	Henry Ward
G. W. Garrett	Duke Mayfield	Charles Wylie
Jas. T. Hamilton	G. S. Milam	
C. L. Hammons	W. H. Miller	—55

Those who voted in the negative were—

F. T. Allen	Ben Grogan	Joe E. Robinson
Henry H. Allen	W. L. Hampton, Jr.	John C. Robinson
Reuben J. Boling	Ben W. Johnson	Ray O. Shehan
Jas. C. Carter	C. S. Matherly	W. R. Tapp
Roscoe Claxon	Hobart Rayburn	
H. Myer Garner	Wade H. Riley	—16

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 134. An Act for the protection of Wild Turkey, Imported Pheasant and Hungarian Partridge, amending and re-enacting Section 1938a-6, Kentucky Statutes.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Chapter 82 of the Acts of the General Assembly of 1934, being Section 1938a-6, Kentucky Statutes, Carroll's 1934 Supplement, be amended and re-enacted, and when so amended and re-enacted shall read as follows, to wit:

No persons shall catch, kill or pursue with such intent, or have the same in his possession after it has been caught or killed, any wild turkey, imported pheasant and Hungarian partridge. Any person violating this section, or any feature thereof, shall be guilty of a misdemeanor and shall, upon conviction be fined not less than fifteen dollars ($15.00) nor more than fifty dollars ($50.00) for each offense.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen	W. T. Baker	Douglas Bolling
Henry H. Allen	Reuben J. Boling	Ollie J. Bowen

Wallace Brown	Thomas W. Hines	J. C. Nickell
Jas. C. Carter	Price Holbrook	Russell O'Neill
V. O. Chandler	Clyde S. Howard	Mel Petry
Floyd Clark	Ira W. Hulette	A. W. Pfeiffer
Roscoe Claxon	John M. Hunnicut	J. C. Ramey
George S. Clay	Ben W. Johnson	Hobart Rayburn
J. A. Coleman	R. T. Kirkman	Harry C. Records
Roy Conway	J. F. Ladd	L. K. Rice
Herbert Cook	Leslie Larrimore	Wade H. Riley
Stanley S. Dickson	M. T. McCarthy	Joe E. Robinson
George W. Dunlap	T. B. McConnell	John C. Robinson
Howard G. Early	J. L. McDermott	W. T. Rollo
Garland Embry	Lloyd MacDonald	A. W. Ross
Walter R. Fannin	W. F. McGary	P. L. Sidebottom
T. P. Fitzpatrick	John Marshall	Chester D. Silvers
H. Myer Garner	C. S. Matherly	H. C. Steely
James Garnett, Jr.	D. T. Matlack	Joseph L. Wall
G. W. Garrett	Duke Mayfield	Henry Ward
Eugene Gough	G. S. Milam	W. G. Williams
Jas. T. Hamilton	W. H. Miller	Charles Wylie
C. L. Hammons	John B. Mollett	
W. L. Hampton, Jr.	Rodes K. Myers	

—70

There voted in the negative—

Chas. P. Farnsley —1

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 135. An Act for the protection of Deer and Elk, amending and re-enacting Section 1938a-16, Kentucky Statutes.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Chapter 83 of the Acts of the General Assembly of 1934, being Section 1938a-16, Kentucky Statutes, Carroll's 1934 Supplement, be amended and re-enacted, and when so amended and re-enacted shall read as follows, to wit:

No person shall, in the state of Kentucky, hunt, pursue, chase, catch, kill, injure or molest any elk or deer. Any person violating this section, or any feature thereof, shall upon conviction, be fined not less than fifty dollars ($50.00) or more than one hundred dollars ($100.00) for each offense.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen	Jas. C. Carter	Herbert Cook
Henry H. Allen	V. O. Chandler	Stanley S. Dickson
W. T. Baker	Floyd Clark	George W. Dunlap
Reuben J. Boling	Roscoe Claxon	Howard G. Early
Douglas Bolling	George S. Clay	Garland Embry
Ollie J. Bowen	J. A. Coleman	Walter R. Fannin
Wallace Brown	Roy Conway	T. P. Fitzpatrick

H. Myer Garner	T. B. McConnell	Hobart Rayburn
James Garnett, Jr.	J. L. McDermott	Harry C. Records
G. W. Garrett	Lloyd MacDonald	L. K. Rice
Eugene Gough	W. F. McGary	Wade H. Riley
Jas. T. Hamilton	John Marshall	Joe E. Robinson
C. L. Hammons	C. S. Matherly	John C. Robinson
W. L. Hampton, Jr.	D. T. Matlack	W. T. Rollo
Thomas W. Hines	Duke Mayfield	A. W. Ross
Price Holbrook	G. S. Milam	Dr. B. F. Shields
Clyde S. Howard	W. H. Miller	P. L. Sidebottom
Ira W. Hulette	John B. Mollett	Chester D. Silvers
John M. Hunnicut	Rodes K. Myers	H. C. Steely
Ben W. Johnson	J. C. Nickell	Joseph L. Wall
R. T. Kirkman	Russell O'Neill	Henry Ward
J. F. Ladd	Mel Petry	W. G. Williams
Leslie Larrimore	A. W. Pfeiffer	Charles Wylie
M. T. McCarthy	J. C. Ramey	—71

There voted in the negative—

Chas. P. Farnsley —1

Resolved that the title thereof be as aforesaid.

Mr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

A message was received from the Senate announcing that they had passed, bills and resolutions which originated in this House, entitled:

H. B. 229. An Act to permit J. W. Beams to sue the Commonwealth.

H. Res. 7. Resolution authorizing Mrs. Joe Westerfield to sue the Commonwealth.

H. Res. 8. Resolution authorizing Francis Phelps to sue the Commonwealth.

H. Res. 20. Resolution authorizing Carl Wright to sue the Commonwealth.

H. Res. 23. Resolution authorizing J. L. Madison, the father of Gladys M. Madison, to sue the Commonwealth.

H. Res. 29. Resolution authorizing Ben Wiley to sue the Commonwealth.

H. Res. 31. Resolution authorizing Archie C. Miller to sue the Commonwealth.

H. Res. 33. Resolution authorizing William Cox to sue the Commonwealth.

H. Res. 53. Resolution authorizing and permitting G. B. Hall to sue the Commonwealth.

H. Res. 54. Resolution authorizing Alice Maher to sue the Commonwealth.

H. Res. 55. Resolution authorizing E. S. Howard to sue the Commonwealth.

H. Res. 59. Resolution authorizing W. C. Wells to sue the Commonwealth.

H. B. 567. An Act relating to revenue and taxation, etc.

H. B. 236. An Act providing that the publication of a fair and impartial report or the publication of the whole or

a fair synopsis of any bill, report, resolution, bulletin, notice, petition or proceeding before any state, or city legislative or executive body, board of offcers, etc.

H. B. 303. An Act to repeal and re-enact Section 1550-17 of Carroll's Kentucky Statutes, relating to ballots in primary elections.

H. B. 48. An Act making it a misdemeanor to obtain money by assessment, intimidation or coercion from any State employee, etc.

H. B. 334. An Act relating to revenue and taxation, so as to limit the State tax on the recording of chattel mortgage.

H. B. 15. An Act providing for the appointment of a tax collector for cities of the 4th class, etc.

H. B. 42. An Act authorizing and empowering the State Park Commission to acquire lands, etc.

H. B. 58. An Act relating to the sale of real estate for taxes, for cities of the 2nd class.

H. Res. 39. Resolution for the relief of Cecil Pennington, Sheriff of Elliot County.

H. Res. 30. Resolution authorizing and directing payment of $463.97 to Brown-Richardson and Company, etc.

H. Res. 38. Resolution of the House and Senate for the payment of certain witness fees therein.

H. Res. 61. Resolution for the payment of Burnam Bach, ex-deputy sheriff of Breathitt County.

H. B. 39. An Act to authorize cities of the 2nd, 3rd, 4th class to acquire waterworks and to issue bonds, etc.

H. B. 153. An Act creating the office of stenographer to the county attorney in counties containing cities of the 3rd class.

H. B. 526. An Act relating to unfair compensation and discrimination, making certain unfair and discriminatory practices unlawful, etc.

Ordered that said bills and resolutions be delivered to the Enrolling Clerk of this House.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 154. An Act providing for the removal of the Superintendent of Schools; providing for an appeal from the decision of the Board of Education to the State Board of Education; providing that the decision of the State Board of Education shall be final and declaring an emergency to exist.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. The Superintendent of Schools may be removed by a vote of four (4) members of the Board of Education for cause; provided that written notice setting out the charges for removal must be spread on the minutes of the board, and a copy thereof be delivered to the respondent fifteen (15) days before action is taken on his removal.

§ 2. The unsuccessful party in such proceeding had before the Board of Education shall have the right to appeal

from said decision of said board to the State Board of Education by filing with the said State Board of Education, within sixty (60) days after the entry of the order by the board of education, a written petition setting out at length the grounds relied upon for a reversal of said decision, assigning all errors of law or fact relied upon for such reversal. Said petition shall be verified by the petitioner, and the board rendering the decision shall be made respondent, who shall file its written response within fifteen (15) days after the filing of the original petition with the said board of education as set out herein. The original proceedings had before the board shall be reported, transcribed and the record preserved, and upon an appeal being prosecuted, the original record shall be, by the custodian of the record of the board rendering the decision, immediately transmitted to the State Board of Education at Frankfort, Kentucky, upon which record a review shall be had and no new or additional evidence may be presented before the State Board of Education upon a review of said cause. Any superintendent that may be removed and who prosecutes an appeal shall remain in office until such appeal has been decided.

§ 3. Whereas, the present law relating to the removal of county school superintendents makes no provision for an appeal from the decision of the County Board of Education removing such superintendents an emergency is declared to exist and this act shall become effective upon its passage and approval by the Governor.

Mr. Conway offered the following amendment to said bill, viz.:

Amend S. B. 154 by adding to paragraph 2 of said bill the following:

"The appeal herein provided is hereby granted and made to apply to any superintendent removed from office by a

Board of Education within ninety days preceding the enactment of this law. A superintendent so removed within ninety days preceding the enactment of this law and who prosecutes an appeal as herein provided shall remain in office until such appeal has been decided."

Said amendment was disagreed to.

The yeas and nays being required thereon by Messrs. Hammons and Munford, were as follows, viz.:

Those who voted in the affirmative were—

W. T. Baker	Price Holbrook	Duke Mayfield
Douglas Bolling	Clyde S. Howard	W. H. Miller
Ollie J. Bowen	Ben W. Johnson	Rodes K. Myers
Wallace Brown	R. T. Kirkman	J. C. Nickell
Roscoe Claxon	Leslie Larrimore	L. K. Rice
Roy Conway	M. T. McCarthy	Ray O. Shehan
Stanley S. Dickson	J. L. McDermott	Chester D. Silvers
Garland Embry	C. S. Matherly	—23

Those who voted in the negative were—

F. T. Allen	W. L. Hampton, Jr.	Hobart Rayburn
Henry H. Allen	Thomas W. Hines	Harry C. Records
Reuben J. Boling	Ira W. Hulette	Wade H. Riley
Jas. C. Carter	John M. Hunnicut	Joe E. Robinson
V. O. Chandler	J. H. Jones	John C. Robinson
Floyd Clark	O. C. Jones	W. T. Rollo
George S. Clay	J. F. Ladd	Carl Scheben
J. A. Coleman	T. B. McConnell	Carl Schneider
Herbert Cook	Elmer McGlothen	P. L. Sidebottom
George W. Dunlap	John Marshall	H. C. Steely
Chas. P. Farnsley	D. T. Matlack	R. Van Bever, Jr.
T. P. Fitzpatrick	G. S. Milam	S. J. Wagner
H. Myer Garner	John B. Mollett	Joseph L. Wall
James Garnett, Jr.	Russell O'Neill	W. G. Williams
G. W. Garrett	Mel Petry	Charles Wylie
Eugene Gough	A. W. Pfeiffer	
C. L. Hammons	J. C. Ramey	—49

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill wear read the third time by its title only and rejected.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

F. T. Allen	Jas. T. Hamilton	Rodes K. Myers
Henry H. Allen	W. L. Hampton, Jr.	J. C. Nickell
W. T. Baker	Price Holbrook	J. C. Ramey
Douglas Bolling	Clyde S. Howard	L. K. Rice
Wallace Brown	Ira W. Hulette	Joe E. Robinson
Roscoe Claxon	R. T. Kirkman	John C. Robinson
Roy Conway	J. F. Ladd	Dr. B. F. Shields
Harry Davis	M. T. McCarthy	W. R. Tapp
Stanley S. Dickson	T. B. McConnell	J. J. Thomas
George W. Dunlap	W. F. McGary	Joseph L. Wall
Garland Embry	C. S. Matherly	W. G. Williams
T. P. Fitzpatrick	Duke Mayfield	
Eugene Gough	G. S. Milam	—37

Those who voted in the negative were—

Reuben J. Boling	John M. Hunnicut	Hobart Rayburn
Ollie J. Bowen	Thomas W. Hines	Harry C. Records
Dr. R. A. Byers	J. H. Jones	Wade H. Riley
Jas. C. Carter	O. C. Jones	W. T. Rollo
V. O. Chandler	Leslie Larrimore	Carl Scheben
Floyd Clark	J. L. McDermott	Carl Schneider
George S. Clay	Lloyd MacDonald	Ray O. Shehan
J. A. Coleman	Elmer McGlothen	P. L. Sidebottom
Herbert Cook	John Marshall	Chester D. Silvers
Sam Dever	D. T. Matlack	H. C. Steely
Howard G. Early	W. H. Miller	R. Van Bever, Jr.
Chas. P. Farnsley	John B. Mollett	S. J. Wagner
James Garnett, Jr.	Tyler Munford	Henry Ward
G. W. Garrett	Russell O'Neill	Charles Wylie
C. L. Hammons	Mel Petry	—44

Mr. Hammons moved that the vote by which said bill was rejected, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 241. An Act to repeal, amend and re-enact Sections 201c-1 to 201c-12 inclusive, Kentucky Statutes, Carroll's 1930 Edition, relating to the issual of free passes and the giving of reduced rates by common carriers, and repealing all laws in conflict therewith.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Sections 201c-1 to 201c-12 inclusive, Carroll's Statutes, 1930 Edition, being the whole of Chapter One of the Acts of the General Assembly of 1916, relating to the issual of free passes and the giving of reduced rates by common carriers, so when said act is repealed and re-enacted it will read as follows:

Sec. 1. It shall be unlawful for any common carrier of passengers in this state or any officer or agent of such common carrier to issue or give to any person or persons any free pass or free transportation or sell any ticket at reduced rates not common to the public, for the transportation of any passenger or passengers within this state, and it shall be unlawful for any person or persons other than those designated in Section 2 of this Act, to accept or use, or attempt to use any free pass or free transportation or ticket issued or given by such common carrier.

Sec. 2. No common carrier subject to the provisions of this act shall, directly or indirectly, issue or give any free pass or free transportation or sell any ticket at reduced rates not common to the public, for passengers, except to its officers, bona fide employees, agents, attorneys, physicians and surgeons and the dependant members of their immediate families; ministers of religion, persons engaged exclusively in charitable and eleemosynary work, inmates of homes for the rescue and reform of the unfortunate or vicious, including those about to enter such institutions, and those returning home after discharge, and boards of managers, including officers and superintendents of such homes; indigent, destitute and homeless persons, and such persons when transported by charitable societies or hospitals, and the necessary agents employed in such transportation; necessary caretakers of livestock, poultry, milk or fruit, including return transportatation to the forwarding point; traveling secretaries of Young Men's Christian Associations, and officers or regular accredited representatives of labor organizations, composed wholly of employees of such common carriers; employees of sleeping cars, express cars and linemen of telegraph and telephone companies; railway mail service employees, post-office inspectors, customs inspectors and immigration inspectors; newsboys on trains and baggage agents; witnesses attending any legal investigation or proceeding in which such common carrier is interested; persons injured in wrecks or accidents and physicians and nurses attending such persons, and employees crippled or disabled in the service of such common carrier; to inmates of national or state homes for soldiers and sailors; policemen and firemen of any city wearing the insignia of their office within the limit of such city; school children going to and returning from public or parochial schools, or students of the state university or state normal schools, going to and returning from such institutions; regularly employed common school and high school in-

spectors; all persons traveling upon a special train or car provided by such common carrier for educational, health or agricultural purposes, or any car for the distribution of fish or game or the employees of the game and fish commission while engaged in the distribution of fish or game and, provided further, that nothing contained in this act shall be construed or deemed to prohibit the interchange of free passes or free transportation for officers, agents, attorneys and employees of such common carriers and the dependant members of their immediate families.

Sec. 3. "Free pass" or "free transportation" as used in this act shall include any ticket, pass contract, permit or transportation issued, furnished or given to any person by any common carrier of passengers, or passage for any other consideration than money paid in the usual way at the same rate, fare or charge open to all who desire to purchase, and shall include any ticket sold at reduced rate not common to all the public; provided, however, that nothing herein contained shall prevent the bona fide exchange of transportation for advertising matter actually contracted. "Families" as used in this act include the families of those persons killed and widows during widowhood and minor children, during minority, of persons who died while in the service of such carrier. "Employees" as used in this act, shall include furloughed, pensioned, superannuated employees, and persons who have become disabled or infirm in the service of such carrier.

Sec. 4. Any common carrier of passengers or any officer, agent, or representative thereof, violating any of the provisions of this act, shall for each offense, be fined not less than five hundred dollars, nor more than twenty-five hundred dollars, or confined in the county jail for not less than thirty days, and not more than ninety days, or may be both so fined and imprisoned in the discretion of the jury; and any person or persons other than those excepted in this act

who shall accept or use, or attempt to use any free pass or free transportation for carriage or passage with this state, shall be subject to a like penalty.

Sec. 5. No person within the purview of this act shall be privileged from testifying in relation to anything herein prohibited, but no person having so testified shall be liable to any prosecution or punishment for any offense concerning which he was required to give his testimony.

Sec. 6. The circuit court or any court through, or into which, any person shall be transported in violation of the provisions of this act shall have jurisdiction of the offense.

Sec. 7. Every common carrier of passengers in this state shall keep an accurate record of each and every free pass, or free transportation or ticket sold at reduced rate not common to the public, which it has issued or given to any person, except to its officers and regular employees, and their immediate families, within one year next before the thirty-first day of December of each year, which record shall state when and to whom each free pass or free transportation was given, the nature and character of the free pass, whether a general pass, and for what length of time given, or whether a limited pass, and to points from which and to which it was issued. On or before March 1, 1918, every such common carrier shall file in the offce of the attorney general a true and correct report of all such free passes or free transportation issued between January 1, 1917, and December 31, 1917, and thereafter every such common carrier shall, on or before the first of March, file in the same manner a statement of all such free passes, or free transportation or tickets sold at reduced rates not common to the public given or issued during the year preceding such statement. Such report shall be subscribed and sworn to by the president, general passenger agent or secretary of such carrier and when filed in the office of the attorney general shall constitute a public record. Any common carrier of passen-

gers who shall fail to file such a report on or before the 1st day of March as required by this section, shall be fined one thousand dollars upon indictment and conviction in the Franklin circuit court, or other court of common jurisdiction. Any officer of such carrier who shall make in such report any false statement, upon indictment, trial and conviction in the Franklin circuit court or other court of competent jurisdiction, shall be deemed guilty of false swearing and shall suffer the penalty now prescribed by law for that crime.

Sec. 8. It shall be the duty of every circuit judge in this Commonwealth at every term of court, in each county in his district, into or through which the line or lines of such carrier is operated, and of the Franklin circuit court, to give the provisions of this act in charge to the grand jury.

Sec. 9. The attorney general at all times shall have access to the original record of such passes in the office of such carriers, which is required by this act to be kept.

All laws or parts of laws in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Douglas Bolling	Dr. R. A. Byers
W. T. Baker	Ollie J. Bowen	Jas. C. Carter
Reuben J. Boling	Wallace Brown	V. O. Chandler

George S. Clay	J. F. Ladd	J. C. Ramey
J. A. Coleman	Leslie Larrimore	Hobart Rayburn
Roy Conway	M. T. McCarthy	Harry C. Records
Herbert Cook	J. L. McDermott	Joe E. Robinson
Harry Davis	Lloyd MacDonald	John C. Robinson
Sam Dever	W. F. McGary	W. T. Rollo
T. P. Fitzpatrick	Elmer McGlothen	Carl Scheben
G. W. Garrett	C. S. Matherly	Dr. B. F. Shields
Ben Grogan	D. T. Matlack	P. L. Sidebottom
Jas. T. Hamilton	Duke Mayfield	Chester D. Silvers
C. L. Hammons	G. S. Milam	H. C. Steely
W. L. Hampton, Jr.	W. H. Miller	W. R. Tapp
Price Holbrook	John B. Mollett	J. J. Thomas
Clyde S. Howard	Tyler Munford	R. Van Bever, Jr.
Ira W. Hulette	Rodes K. Myers	Joseph L. Wall
John M. Hunnicut	J. C. Nickell	Henry Ward
Ben W. Johnson	Russell O'Neill	W. G. Williams
J. H. Jones	Mel Petry	Charles Wylie
R. T. Kirkman	A. W. Pfeiffer	—65

Those who voted in the negative were—

Garland Embry	L. K. Rice	Carl Schneider
James Garnett, Jr.		—4

Resolved that the title thereof be as aforesaid.

Dr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 284. An Act amending Section 3 of Article 5 of Chapter 65 of the Acts of the General Assembly of 1934,

being Section 4399-3, Kentucky Statutes, Baldwin's Kentucky Statute Service of 1934, relating to independent school districts.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 3 of Article 5 of Chapter 65 of the Acts of the General Assembly of 1934, being Section 4399-3, Kentucky Statutes, Baldwin's Kentucky Statute Service, 1934 Edition, be and the same hereby is amended by repealing said Section in its entirety and re-enacting same so that as amended and re-enacted said Section will read as follows, to wit:

Independent schools districts. All school districts embracing cities of the first five classes together with the territory within their limits including any terirtory which has heretofore been added for school purposes outside of the limits of such cities or districts, and any territory which may be included by any future change in the limits of such cities, and all independent graded common school districts having a school census enumeration of two hundred fifty (250) or more white children shall hereafter be known and designated as independent school districts, provided that no such district other than cities of the first, second, third, fourth, and fifth classes, operating as independent districts at the time this act becomes effective, shall continue to operate when its school census enumeration of white children falls below two hundred fifty (250) pupils unless it appears to the State Board of Education that the district can maintain a more efficient program of school service by operating as an independent district. The State Board of Education may permit an independent graded common school district existing at the time of the passage of this act with a census enumeration of white children below two hundred and fifty

(250) to operate as a temporary independent school district for four-year periods beginning with July 1, 1934, if it appears to the State Board of Education that such district can maintain a more efficient program of school service by operating as a temporary independent district, and the decision of the State Board of Education shall be final; provided, at the end of each four-year period the State Board of Education may permit such independent district to operate for an additional four-year period on the condition that such inspection as the State Board of Education may make shows that it is operating a school in accordance with the school law and the standards, rules, and regulations set up by the State Board of Education. The State Board of Education may by order make any temporary independent school district a part of the county district whenever the same is (it) not complying with the school law and the standards, rules, and regulations of the State Board of Education, and after it has been given a reasonable time, to be fixed by the State Board of Education, within which to so comply. The first application of such district to operate as a temporary independent district shall be filed with the State Board of Education not later than July 1, 1934. Each subsequent application of such independent district to operate as a temporary independent district for an additional four-year period shall be filed with the State Board of Education not later than May 1, of the last year of the four-year period. Each independent school district shall maintain at least an approved twelve-grade school service for the white children residing in its district. Provided, however, any independent school district that maintains within the district at least an approved ten-grade school service for the white children residing in its district may furnish free transportation for white children residing within the district to attend school in an adjoining district for completing the eleventh and twelfth grade school work and provide by contract with an

adjoining district, which maintains at least an approved twelve-grade program of school service, for such children procuring eleventh and twelfth grade service in such adjoining district. Provided further that each independent school district shall provide by establishment or by contract with another district for at least an approved twelve-grade program of school service for its colored children.

All laws in conflict herewith are hereby repealed.

Mr. Joe Robinson offered the following amendment to said bill, viz.:

Amend S. B. 284 by adding after word "children" on page 2, the words "except in an independent district embracing cities of the 5th and 6th classes for such districts the County Board of Education shall provide educational facilities for colored children."

Said amendment was disagreed to.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The years and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Jas. C. Carter	Roy Conway
W. T. Baker	V. O. Chandler	Herbert Cook
Reuben J. Boling	Roscoe Claxon	Harry Davis
Douglas Bolling	George S. Clay	Howard G. Early
Wallace Brown	J. A. Coleman	Garland Embry

Chas. P. Farnsley	J. F. Ladd	Hobart Rayburn
T. P. Fitzpatrick	M. T. McCarthy	Harry C. Records
H. Myer Garner	T. B. McConnell	W. T. Rollo
James Garnett, Jr.	J. L. McDermott	Carl Scheben
Eugene Gough	Lloyd MacDonald	Dr. B. F. Shields
Jas. T. Hamilton	W. F. McGary	P. L. Sidebottom
C. L. Hammons	John Marshall	Chester D. Silvers
W. L. Hampton, Jr.	C. S. Matherly	W. R. Tapp
Thomas W. Hines	D. T. Matlack	J. J. Thomas
Price Holbrook	Duke Mayfield	S. J. Wagner
Clyde S. Howard	John B. Mollett	Joseph L. Wall
John M. Hunnicut	Tyler Munford	Henry Ward
Ben W. Johnson	J. C. Nickell	W. G. Williams
J. H. Jones	Mel Petry	Charles Wylie
R. T. Kirkman	A. W. Pfeiffer	—59

Those who voted in the negative were—

Leslie Larrimore	J. C. Ramey	John C. Robinson
W. H. Miller	Joe E. Robinson	H. C. Steely

—6

Resolved that the title thereof be as aforesaid.

Mr. Shields moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Mr. Joe Robinson moved that the Chief Clerk of this House be directed to note on the Journal of the House that the roll was called on S. B. 284 at ten minutes past twelve o'clock A. M.

Said motion was disagreed to.

Mr. Munford moved that the House be at ease during the enrollment of bills and resolutions heretofore passed by the House and Senate.

Said motion was agreed to.

The yeas and nays being required thereon by Messrs Munford and Myers, were as follows, viz.:

Those who voted in the affirmative were—

Jas. C. Carter	T. B. McConnell	J. C. Ramey
V. O. Chandler	John Marshall	Harry C. Records
Howard G. Early	Duke Mayfield	Joe E. Robinson
Walter R. Fannin	G. S. Milam	John C. Robinson
Chas. P. Farnsley	W. H. Miller	Carl Scheben
G. W. Garrett	John B. Mollett	H. C. Steely
C. L. Hammons	Tyler Munford	W. R. Tapp
Ira W. Hulette	Rodes K. Myers	R. Van Bever, Jr.
J. F. Ladd	J. C. Nickell	Joseph L. Wall
Leslie Larrimore	Russell O'Neill	
M. T. McCarthy	Mel Petry	—31

Those who voted in the negative were—

Henry H. Allen	James Garnett, Jr.	Carl Schneider
W. T. Baker	Eugene Gough	Ray O. Shehan
Reuben J. Boling	John M. Hunnicut	Dr. B. F. Shields
Ollie J. Bowen	Ben W. Johnson	P. L. Sidebottom
Roscoe Claxon	W. F. McGary	J. J. Thomas
J. A. Coleman	Elmer McGlothen	Henry Ward
Roy Conway	D. T. Matlack	Charles Wylie
Herbert Cook	Hobart Rayburn	
Garland Embry	W. T. Rollo	—25

Thereupon the House stood at ease.

Mr. Dickson of the Committee on Enrollment reported that they had examined and found to be correctly enrolled a bill entitled:

S. B. 18. An Act to create a Game and Fish Commission, etc.

Thereupon the Speaker vacated the Chair and designated Mr. T. B. McConnell as Speaker pro tem. and thereupon all other business was suspended, said bill was read at length and compared in open session and found to be correctly enrolled, and thereupon the Speaker pro tem., in open session and in their presence of the House, affixed his signature thereto.

Ordered that said bill be delivered to the Enrolling Clerk of the Senate.

Mr. Dickson of the Committee on Enrollment reported that they had examined and found to be correctly enrolled, bills of the following titles, viz.:

H. B. 77. An Act to amend Kentucky Statutes relating to primary and general elections and to the time of closing polls, etc.

H. B. 189. An Act to subject to execution and garnishment salaries of State, county and municipal employees.

S. B. 136. An Act to amend Carroll's Kentucky Statutes, relating to divorce.

S. B. 140. An Act to amend Kentucky Statutes relating to increasing the surplus of banks and trust companies.

S. B. 199. An Act to repeal the Acts of the General Assembly 1920, relating to pensions for injured and disabled firemen.

S. B. 105. An Act to repeal Kentucky Statutes, relating to embalming and undertaking.

S. B. 45. An Act amending Section 577, Kentucky Statutes.

S. B. 193. An Act to amend Kentucky Statutes relating to tax assessments in cities of the first class.

S. B. 194. An Act to amend Kentucky Statutes relating to entry by the Assessor in cities of first class.

S. B. 196. An Act to amend Kentucky Statutes con cerning tax collections, liens and sale.

S. B. 195. An Act to relieve tax offcials of cities of the first class.

S. B. 198. An Act repealing Kentucky Statutes relating to pensions for injured policemen.

S. B. 7. An Act to repeal Statute entitled, "Officers not eligible to seat in Legislature".

S. B. 97. An Act allowing the purchase of stereotype plates for the Court of Appeals.

S. B. 202. An Act amending Kentucky Statutes relating to ordinances of cities of the first class.

S. B. 201. An Act relating to temporary commitment of insane persons.

S. B. 200. An Act amending Kentucky Statutes relating to Board of Water Works compensation in cities of first class.

S. B. 94. An Act to amend and re-enact Sections 547 and 613 of Carroll's Kentucky Statutes, 1930 Edition.

S. Res. 16. Joint resolution providing for payment of $5,973.73 out of the general fund for the purpose of paying to the State Journal for printing.

S. Res. 46. Resolution authorizing Wm. C. Wells, and Mary H. Wells, his wife, to sue the Commonwealth.

H. B. 4. An Act providing for the renewal of franchises of public utilities in cities of the second, third, fourth, fifth and sixth classes.

H. B. 60. An Act to repeal Kentucky Statutes relating to heirs and devisees.

H. B. 129. An Act to create a Committee of four by the President of the Bar Association to authorize the revision and republication of the Kentucky Statutes at competitive bidding.

H. Res. 19. Resolution authorizing Joe Sparrow to sue the Commonwealth of Kentucky.

H. B. 427. An Act relating to Old Age Pensions.

S. B. 107. An Act to amend Section 4527-44, Baldwin's Revision, Carroll's Kentucky Statutes.

H. B. 3. An Act enabling cities of the third class to acquire, construct, operate and maintain electric light plants.

H. B. 130. An Act to prohibit expenditure of public money to insure against fire, tornado on state property.

H. Res. 18. Resolution authorizing the personal representative of Winfred Hoover to sue the Commonwealth.

H. B. 229. An Act to permit J. W. Beams to sue the Commonwealth.

H. Res. 7. Resolution authorizing Mrs. Joe Westerfield to sue the Commonwealth.

H. Res. 8. Resolution authorizing Francis Phelps to sue the Commonwealth.

H. Res. 20. Resolution authorizing Carl Wright, Administrator of the estate of Otis Wright, to sue the Commonwealth.

H. Res. 23. Resolution authorizing Rev. J. L. Madison to sue the Commonwealth.

H. Res. 29. Resolution authorizing Ben Wiley to sue the Commonwealth.

H. Res. 31. Resolution authorizing Archie C. Miller to sue the Commonwealth.

H. Res. 33. Resolution authorizing Wm. Cox to sue the Commonwealth.

H. Res. 34. Resolution authorizing Ohio County to sue the Commonwealth.

H. Res. 35. Resolution authorizing Andy Hunter to sue the Commonwealth.

H. Res. 36. Resolution authorizing R. T. Humphries to sue the Commonwealth.

H. Res. 40. Resolution authorizing Harry D. Kremer to sue the Commonwealth.

H. Res. 41. Resolution authorizing John Wright to sue the Commonwealth.

H. Res. 47. Resolution authorizing Arch Wilson to sue the Commonwealth.

H. Res. 49. A resolution authorizing Genevieve Collins, Committee, to sue the Commonwealth.

H. Res. 51. Resolution authorizing J. B. Lacefield to sue the Commonwealth.

H. Res. 52. Resolution authorizing W. S. Curl to sue the Commonwealth.

H. Res. 53. Resolution authorizing and permitting G. B. Hall to sue the Commonwealth.

H. Res. 54. Resolution authorizing Alice Maher to sue the Commonwealth.

H. Res. 55. Resolution authorizing E. S. Howard to sue the Commonwealth.

H. Res. 59. Resolution authorizing W. C. Wells to sue the Commonwealth.

H. B. 561. An Act amending Section 256 of the Constitution of the Commonwealth prescribing the mode of amendment of said Constitution.

H. B. 274. An Act amending Kentucky Statutes relating to automobiles and trucks, providing change of registration dates.

H. B. 573. An Act amending the Constitution of Kentucky relating to County and State government.

H. B. 11. An Act relating to roadhouses and eating and drinking stands.

H. B. 188. An Act to amend and re-enact subsection

98-a-2 and subsection 98-a-5 of Section 98 of Carroll's Kentucky Statutes, same being an Act of the Kentucky Legislature of 1918 session.

H. B. 222. An Act repealing the Acts of the 1934 Session of the General Assembly relating to revenue and taxation.

H. B. 236. An Act relating to the publication of any bill or resolution, or report.

H. B. 337. An Act to prohibit walkathons or marathons in the State of Kentucky.

H. B. 175. An Act to repeal Kentucky Statutes of 1930 relating to filling vacancies in the office of County Judge.

S. B. 277. An Act relating to temporary injunctions by application to Judge of Court of Appeals.

S. B. 215. An Act relating to drainage levels and reclamation districts.

S. B. 110. An Act making it a misdemeanor for failure to extinguish fire.

S. B. 76. An Act to repeal and re-enact Supplement, Carroll's Kentucky Statutes of 1930, 204b-12.

S. B. 4. An Act relating to the National Housing Act.

S. B. 25. An Act relating to the Kentucky Code of practice in civil cases.

S. B. 93. An Act to provide State Insurance for public buildings and property.

S. B. 203. An Act to amend Carroll's Kentucky Statutes relating to issue of bonds, of any taxing district.

S. B. 70. An Act providing for compensation of County Election Commissions.

S. B. 53. An Act relating to public water system of any city or town.

H. Res. 13. Resolution authorizing F. C. Gross to sue the Commonwealth.

H. Res. 12. Resolution authorizing Bud Philpot to sue the Commonwealth.

H. Res. 60. Resolution designating a highway to be called the Cordell Hull Parkway.

H. Res. 24. Resolution authorizing D. G. Young to sue the Commonwealth.

S. Res. 39. Resolution authorizing suits to be maintained for the recovery of taxes.

S. Res. 37. Resolution providing for the purchase of the Legislative Digest.

S. Res. 40. Resolution authorizing Mrs. Alice Maher to sue the Commonwealth.

H. B. 314. An Act relating to the form and printing of ballots in General elections.

H. B. 153. An Act creating the office of Stenographer to the County Attorney.

S. B. 135. An Act for the protection of deer and elk.

S. B. 197. An Act concerning plumbing departments in cities of the first class.

S. B. 234. An Act to repeal Chapter 28 of the Acts of the 1918 Kentucky Statutes, Section 2223b-2.

S. B. 253. An Act to amend and re-enact in regard to the board of Dental Examiners.

S. B. 263. An Act giving consent of the Commonwealth of Kentucky for the establishment of any National Forest.

S. B. 329. An Act providing State aid for the construction of County roads and bridges.

S. B. 262. An Act relating to transportation of persons by hire by motor vehicles.

H. B. 42. An Act authorizing State Park Commission to acquire land.

H. B. 39. An Act to amend Kentucky Statutes, relating to acquisition of sewerage systems within said cities.

H. B. 303. An Act relating to Ballots in Primary Elections.

H. B. 12. An Act relating to Government of cities of the Third Class.

H. B. 121. An Act relating to prisoners confined in State prisons, providing for work on farms and highways.

H. B. 553. An Act relating to Probation of Criminal Cases.

H. B. 48. An Act making it a misdemeanor to obtain money from State or Federal employees for political purposes.

S. B. 284. An Act relating to independent school districts.

S. B. 153. An Act amending and re-enacting Section 2241, Kentucky Statutes, Carroll's 1930 Edition.

H. B. 567. An Act relating to revenue and taxation.

H. B. 334. An Act relating to revenue and taxation—chattel mortgages.

H. Res. 61. Resolution for payment of expenses to Burnam Bach.

H. B. 5. An Act creating Public Service Commission.

H. B. 15. An Act relating to cities of the fourth class.

H. B. 58. An Act relating to the sale of real estate for taxes.

S. B. 182. An Act providing for local option elections and prohibiting the sale of intoxicating liquor.

S. B. 52. An Act authorizing water districts to issue refunding bonds.

H. B. 46. An Act providing for safe driving.

H. B. 526. Relating to unfair competition and discrimination, defining the duties of the Attorney General in regard thereto.

S. B. 241. An Act relating to the issuance of free passes.

S. B. 71. An Act to make unlawful the fraudulent setting back or disconnecting or failure to connect speedometers

S. B. 134. An Act for the protection of wild turkey, imported pheasants and Hungarian partridge.

H. Res. 38. Resolution of the House and Senate for the payment of certain witness fees named therein.

H. Res. 39. Resolution for the relief of Cecil Pennington, Sheriff of Elliott County, Kentucky, for mileage, etc.

S. Res. 6. Resolution authorizing R. Young and Joseph Young to sue the Commonwealth.

H. Res. 30. Resolution authorizing and directing the payment of the sum of $463.97 to Brown-Richardson Company representing balance due for material furnished for the construction of an Armory at Russellville, Kentucky.

H. B. 503. An Act relating to the Primary System of Roads and Highways.

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H. B. 510. An Act relating to the Primary System of Roads and Highways.

H. B. 530. An Act relating to the Primary System of Roads and Highways.

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H. B. 619. An Act relating to the Primary System of Roads and Highways.

H. B. 620. An Act relating to the Primary System of Roads and Highways.

H. B. 621. An Act relating to the Primary System of Roads and Highways.

H. B. 622. An Act relating to the Primary System of Roads and Highways.

H. B. 623. An Act relating to the Primary System of Roads and Highways.

H. B. 624. An Act relating to the Primary System of Roads and Highways.

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H. B. 631. An Act relating to the Primary System of Roads and Highways.

Thereupon all other business was suspended, said bills and resolutions were read at length and compared in open session and found to be correctly enrolled, and thereupon the Speaker, in open session and in the presence of the House, affixed his signature thereto.

Ordered that said bills and resolutions which originated in the Senate, be delivered to the Enrolling Clerk of the Senate.

Ordered that the Enrolling Clerk of the House deliver said bills and resolutions which originated in the House, to the Senate.

After a time the Enrolling Clerk of the House, delivered the original and enrolled copies of said bills and resolutions, duly signed by the President of the Senate into the possession of the Chief Clerk of the House.

Ordered that the Chief Clerk of the House deliver said bills and resolutions to the Governor.

After a time the Chief Clerk aforesaid, reported that he had discharged that duty.

Dr. Shields moved that a Committee be appointed by the Speaker to inform the Senate that the House has completed the business before it and to request the Senate to appoint a similar Committee to act in conjunction with the Committee on the part of the House, to wait upon the Governor and inform him that the Senate and the House of Representatives, composing this General Assembly have completed their labors and are now ready to adjourn sine die and to ascertain from him that if he has any further communication to make to the General Assembly.

Said motion was agreed to.

Thereupon the Speaker appointed Messrs. Wagner, Shields, Ward, Tapp and Brown as members constituting said Committee.

After a time the Committee reported that they had discharged the duties imposed upon them and that they had been informed by the Governor that he had no further communication to make to the General Assembly.

The Journals of this House were then read and compared and approved by the House, and then the House adjourned sine die.

Approved:

JOHN KIRTLEY,
Speaker, House of Representatives.

Attest:

B. L. HARGROVE,
Chief Clerk, House of Representatives.

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H. B. 127—Adding to the Primary System of Roads and Highways, a road leading from Grand River to the Eddyville-Birmingham Highway (Mr. Wall) 406, 770, 901, 1048, 2702, 2855

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H. B. 132—Adding to the Primary System of Roads and Highways, a road leading from the Tompkinsville–Fountain Run Highway at Gamaliel to Akersville, Monroe County (Mr. Carter) 418, 770, 901, 1052, 2703, 2755

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H. B. 134—Adding to the Primary System of Roads and Highways, a road leading from Lennox Post Office to a C. C. C. Road, Rowan County (Mr. Nickell) 420, 770, 901, 1056, 2703, 2755

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H. B. 136—Adding to the Primary System of Roads and Highways, a road leading from Bonny Oldfield's residence, Morgan County to Hazel Green–Cannel City State Highway No. ..... (Mr. Nickell) 422, 770, 902, 1060, 2703, 2755

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H. B. 138—Adding to the Primary System of Roads and Highways, a road leading from Somerset city limits to the intersection of No. 27, mouth of Pittman Creek (Mr. Coleman) 425, 770, 902, 1062, 2703, 2755

H. B. 139—Adding to the Primary System of Roads and Highways, a road leading from the city limits of Shelbyville to Highway No. 55, a distance of .4 mile (Mr. Baker) 425, 771, 902, 1064, 2703, 2755

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H. B. 142—Relating to the hunting season for rabbits (Mr. Steeley) 436, 2070, 2104

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H. B. 152—Relating to Marshals and relating to creation of a police department in cities of fifth class (Mr. Wells) 487, 572, 2070, 2104

H. B. 153—Creating the office of stenographer to the County Attorney in counties containing cities of the third class (Mr. Wells) 490, 572, 2070, 2104

H. B. 154—Adding to the Primary System of Roads and Highways, a road leading from Little Muddy Church, Highway 71, to Carved Rock Church, Morgantown and Russellville Highway (Mr. Hines) 491, 771, 902, 1071, 2703, 2856

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H. B. 212—To permit jurors to separate during a felony trial by agreement (Mr. Garnett)....616, 1590, 1662

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H. B. 224—Adding to the Primary System of Roads and Highways, a road known as the Whip-poor-will (Mr. Molette) 630, 1394, 1722, 2951, 3057

H. B. 225—Adding to the Primary System of Roads and Highways, a road in Johnson County known as the Offutt Road (Mr. Molette) 631, 1395, 1722, 2951, 3057

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H. B. 241—Adding to the Primary System of Roads and Highways, a road leading from Nebo to Silent Run Schoolhouse, Hopkins County (Mr. Tapp)..693, 1394, 1730, 2951, 3058

H. B. 242—Adding to the Primary System of Roads and Highways, a road leading from U. S. 41, Mitchell Hill to Hanson-Cox Store Road (Mr. Tapp) 694, 1394, 1730, 2951, 3058

H. B. 243—Adding to the Primary System of Roads and Highways, a road leading from Old Henderson's Road to U. S. 41E at Slaughters, Webster County (Mr. Tapp 695, 1394, 1730, 2951, 3058

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H. B. 266—Adding to the Primary System of Roads and Highways, a road leading from Highway 35, at K. E. Huddleston's, to Seventy-Six Falls, Clinton, Kentucky (Mr. Sloan) 729, 1395, 1766, 2952, 3059

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H. B. 272—Adding to the Primary System of Roads and Highways, a road leading from Albany to the Tennessee line, near Miller's Mill (Mr. Sloan) 733, 1395, 1778, 2953, 3059

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